

October 13, 2009



TRANSCRIPT
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MONTGOMERY COUNTY COUNCIL

PRESENT

Council President Phil Andrews

Council Vice President Roger Berliner

Councilmember Marc Elrich

Councilmember Nancy Floreen

Councilmember Duchy Trachtenberg

Councilmember Valerie Ervin

Councilmember Mike Knapp

Councilmember George Leventhal

Councilmember Nancy Navarro

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1 COUNCIL PRESIDENT ANDREWS:

2 Good morning, everybody, and welcome to a session of the County Council. We're glad to
3 see you, and we're going to begin this morning's session with an invocation from Mr.
4 Venkataramany Balakrishnan of the Sri Siva Vishnu Temple in Potomac. Thank you for
5 joining us. And please join me in standing for the invocation.

6
7 VENKATARAMANY BALAKRISHMAN:

8 Good morning. Please permit me to be seated.
9

10 COUNCIL PRESIDENT ANDREWS:

11 Yes. We understand.
12

13 VENKATARAMANY BALAKRISHMAN:

14 Good morning, everybody. Almighty god, you are unborn, eternal, and unmanifest, but
15 you choose to manifest yourself in many forms, and the wise call you Allah, Buddha, or
16 Christ or Shiva or Vishnu, Raam or Krishna. It is your [indistinct] spirit that ?????inheres in
17 every created thing and every being. I stand today among the representatives of the great
18 Montgomery County and offer you my prayers. I pray to you to grant unto them the
19 motivation and the capacity to serve the residents of this great County without fear or
20 favor. I now chant a prayer in Sanskrit. This has been chanted daily in Hindu temples all
21 over the world for thousands of years. The meaning is universal. An English translation
22 will follow. Thank you. [CHANTS IN SANSKRIT] Let us all be safe together. Let us enjoy
23 the good things of life together. Together let us do noble and valorous deeds. Together let
24 us function effectively and vigorously. Let us avoid mutual jealousy or hatred. Let there be
25 peace, peace, peace. We pray for the welfare and success of all who govern wisely and
26 well, justly protecting all people. Let all good people flourish, and let farms and animals
27 also flourish. Let everyone everywhere live happily. Let there be timely rains. Let the land
28 produce plenty of grain. Let this County be free from all disturbances. Let good people
29 move about fearlessly. Let families live happily with their children and grandchildren. Let
30 the poor become rich. Let all live happily for a hundred and more years. Thank you very
31 much.
32
33

34 COUNCIL PRESIDENT ANDREWS:

35 Thank you very much, Mr. Balakrishman. Thank you for your invocation. It reminds us of
36 the great religious diversity in our County and continues to strengthen and enrich our
37 community. Appreciate you being here this morning. We're now going to have a
38 presentation -- two presentations, actually -- and the first presentation will be a
39 proclamation in recognition of the 20th anniversary of the Montgomery County Public
40 Schools Education Foundation, and Councilmember Nancy Navarro will do the honors.
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1 COUNCILMEMBER NAVARRO:

2 So we can fit in the picture right here. [Indistinct] You can stand right here or can stand
3 right there, I believe. Great. Well, good morning. It is truly an honor and a pleasure to
4 provide this proclamation on the occasion of the 20th anniversary of the Montgomery
5 County Public Schools Education Foundation. I am joined by a group of friends here. We
6 have the Honorable Esther Gelman, who is living proof that there is life after the Council,
7 so...that's great. And Mr. Jon Enten, and they're both members of the Montgomery County
8 Public Schools Education Foundation, both Mr. Enten as Chair and Ms. Gelman as
9 Organizing Chair. And the Montgomery County Education Foundation really serves an
10 amazing purpose. For the past 20 years, this foundation has provided scholarships to
11 many students who would not otherwise be able to afford college. It also has provided
12 grants to teachers so that they can have access to technology and enrich their instruction
13 -- instructional equipment and provide better instruction to our students. But it has also
14 provided funds for schools to obtain equipment that they wouldn't otherwise obtain, and I
15 think more than ever, this is really important to -- we cannot underscore the need for
16 foundations such as these, because as Montgomery County Public Schools strives to
17 make sure that every student is college bound, we know that in this difficult economic
18 time, especially, many students cannot realize that dream. So, it is truly an honor, as
19 somebody who was a former member of the Board of Education and president of the
20 Board of Education to acknowledge and to recognize and hopefully to entice folks to make
21 sure that they can continue to make donations, contributions, but also volunteer for
22 foundations such as these. So I am going to read the proclamation, and then I will turn to
23 Mr. Enten and then Ms. Gelman for any remarks, and we'll have a photo op. "County
24 Council of Montgomery County, Maryland, proclamation. Whereas, the Montgomery
25 County Public Schools Education Foundation, Incorporated, was created in 1989 as a
26 nonprofit organization to provide financial resources to enrich opportunities for
27 Montgomery County public school students; and whereas, the Foundation supports
28 schools, students, and teachers by providing scholarship funds for low-income MCPS
29 students to attend college by offering resources for academic enrichment opportunities
30 and equipment for students and staff, and by giving grants to MCPS for technology
31 programs and instruction; and whereas, for the 2009-2010 school year, the Foundation,
32 with outstanding work by the Foundation's Scholarship Committee, awarded \$275,000 in
33 scholarship assistance to more than 115 students; and whereas, the Montgomery County
34 Public Schools Education Foundation is celebrating its 20th anniversary as an outstanding
35 asset to our County; now, therefore, be it resolved that the County Council of Montgomery
36 County, Maryland, hereby proclaims congratulations to the Montgomery County Public
37 Schools Education Foundation for 20 years of outstanding service to the students and
38 staff of Montgomery County public schools. To honor these achievements, the Council
39 hereby declares October 13, 2009, as Montgomery County Public Schools Education
40 Foundation Day." Signed on this 13th day of October in the year 2009 by our Council

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1 President. So I will give this to you, Ms. Gelman, and then, Mr. Enten, if you'd like to make
2 some remarks...

3
4 JON ENTEN:

5 Thank you. Thank you, Ms. Navarro, and I want to start by thanking the Council for the
6 honor that they have bestowed upon the Montgomery County Public Schools Education
7 Foundation. We are delighted to be here today to accept this award, or this proclamation.
8 I'd like to acknowledge my fellow board members, who are with me today, and also a
9 special acknowledgment to a few of the members of the board and others who have
10 helped us. That includes Larry Bowers from the Montgomery County Public Schools,
11 Esther Gelman, who's here with me today, who's the chair of our Scholarship Committee
12 and founding chair of the organization. I'd like to also acknowledge Jean Young, who is
13 our assistant and does all the heavy lifting for the organization; Sandy Shmookler, who's
14 the liaison with the school system and on behalf on all of the hundreds and hundreds of
15 children who have received award scholarships and grants from the Foundation. I'm
16 accepting on their behalf. The Foundation, for 20 years, has provided assistance and
17 support in the form of grants and scholarship funds to keep computer labs open after
18 school so that children and their parents can have access to computer equipment. The
19 grant money that we provide in the form of small grants goes to teachers, primarily to
20 obtain various equipment and pay for various programs in the schools, things such as a
21 solar car that was developed by one school. We have provided funding for operas that
22 some of the students have put together and performed. We have also provided funding for
23 special equipment for disabled students, as well, to facilitate their education and allow
24 them better access to our facilities in the school system. So we really have provided quite
25 a range of opportunities for students in the school system, and of course, most importantly
26 is the scholarship funding that we provide to low-income students who otherwise would
27 not have an opportunity to attend post-public school -- obtain a post-public school
28 education. So for that, we're especially proud. In these difficult times, it's becoming harder
29 and harder for an organization such as ours to obtain funding to maintain the program, but
30 I'm happy to say that this year, we've reached new records in terms of our funding, and I
31 think historically, year to date, the organization has provided over \$1 million in scholarship
32 funds to low-income students in the County. So I thank you all for coming in today and just
33 wanted to let you know a little bit about what the Foundation does. I'd like to turn the mike
34 over to Esther Gelman to tell you a little bit more about our scholarship program. Thank
35 you very much.

36
37 ESTHER GELMAN:

38 Thank you. I sat up there for 12 years, and I always had some part of the school budget,
39 and one of the things that was always missing was, what do you do with the children who
40 do not have the funds for more education? That always troubled me. We had funds for
41 many things. So today, I'm happy to accept this award on behalf of my Scholarship

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1 Committee, the hardest-working committee I have ever been involved with, and I have
2 been involved with committees. Listen, from -- I was chair of the Takoma Park Metro
3 Committee. That's why it's in D.C. And many other committees. Anyway... The -- It's the
4 teachers and the students for whom we accept this, and especially the counselors. The
5 counselors have been wonderful, once they found out about the program. We also are
6 funding scholarships for the 16 children who were orphaned by the sniper victim -- the
7 snipers, and, you know, everybody mourns them at the beginning and writes stories, and
8 now, they know that Montgomery County isn't just the place where their parent was killed,
9 but as they come of age, we have scholarships for them. We raised a lot of money, and
10 it's very interesting -- many of them call me, and it's a special pleasure to be able to tell
11 them that we have money for them to go on to college, and there's still quite a number of
12 them who are young and will be coming of age. When Paul Vance asked me to make this
13 a foundation with public members -- it had been an in-house group before -- I decided that
14 I would live by the maxim, "Feed them, and they will come," so we kept inviting people to
15 dinner, and they joined. I think they thought they'd get a return invitation. And when Paul,
16 who was very beloved by many in this County, retired, we gave the dinner for him, and we
17 had over \$150,000 in profit. Now, what do we do with this money? Paul was a poor kid
18 from south Philly who went to college on a football scholarship. I also went to school on a
19 scholarship. Mine was not for football. And, you know, everybody started setting -- you got
20 to have this average and that average, and I said, no. These are for the kids who would
21 never, never see the inside of higher education. A really poor kid who works 6-8 hours
22 after school does not have time for extracurricular activities, hardly has time for
23 homework, and has no hope of going on to school. He's -- many of them are locked in
24 poverty, and if the counselors have to sit those kids down and say, "If you will sit here, I
25 will help you fill out an application, and we will send you to college." We have had so
26 many success stories, but you don't have time for that. I would love to come to the
27 Education Committee and tell you. One of -- one of our very earliest students went to
28 UMBC, and before we even had a real scholarship program. And I talked Sheila Hixson
29 into funding him completely. His mother was a very low-paid employee in a nursing home.
30 He now is on a large fellowship to Northwestern to continue work in engineering. You
31 know, we don't have to import them; we can develop them, but we just have to find them
32 first, and we have to help them go to school. The...where do we get money? We -- I saw
33 the need, and after the last election -- in which I was involved, as usual -- I realized that
34 every delegate and senator gets over 30,000 a year in scholarship funds. It's an archaic
35 system, but it's our system. Many of them hand it out to their friends and relatives. Others
36 turn it back to Maryland higher education, but it can only go to people who apply, and the
37 really low-income kids have no sense of entitlement. So I thought, I'd like to have a little of
38 that money. So I spoke to my 3 delegates in District 15 -- Dumais, Feldman, and Rice --
39 and I said, would you consider allowing us to name some of your awardees? And they
40 said, if you're really going to dig out the lowest income kids, you can have it all. So there I
41 was, with \$100,000, all to be spent in District 15, and you know what? We spend it. And



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1 some of the other districts joined in, and that's how we got to give out \$285,000 worth of
2 scholarships. The lucky kids, the luckiest, live in the districts where they have generous
3 senators and delegates. We hope to continue this program. This year, more delegates are
4 going to join in because they've seen the results of what we're doing, and we're -- I think
5 we're remaking families, especially immigrant families. When we send a youngster to
6 college, his whole family learns from it, and Ike Leggett told me that when these kids
7 graduate and they suddenly get better jobs, they go off of food stamps, so the County
8 saves money. Thank you.

9
10 COUNCIL PRESIDENT ANDREWS:

11 Thank you all very much for your great work, and it's good to see you again, Esther.

12
13 ESTHER GELMAN:

14 [Indistinct]

15
16 COUNCIL PRESIDENT ANDREWS:

17 I'm sure. Esther Gelman is a former 3-term member of the County Council, former
18 president of the County Council, and Councilmember Navarro, of course, served two
19 terms as president of the Board of Education. So thank you for your presentation to the
20 good work done by the Public Schools Education Foundation. We're now going to have a
21 presentation that I'll do on behalf of the Council on behalf of White Cane Safety Day in
22 Montgomery County, and we're going to ask Charlie Short, Tom Bickford, and Deborah
23 Brown to join me up front. There we go. Good morning, everybody. One of the great
24 pleasures of serving on the County Council is recognizing great work done in the
25 community, and the visually impaired community lost two outstanding leaders in the past...
26 [NO AUDIO] So. OK. So, Margaret Pfanstiehl, who was the founder of the Washington
27 Ear, which is an organization that provides information and literature recordings for the
28 visually impaired, and we lost Dr. Harold Schneider a few months back, who was a
29 tremendous leader nationally, regionally, and locally for the visually impaired and who
30 chaired our Commission on People with Disabilities and did great work for many, many
31 years. It's my pleasure to recognize the folks with me today:
32 Deborah Brown, who is the president of the Sligo Chapter of the National Federation of
33 the Blind; Charlie Short, who -- nice to have you here again, Charlie.

34
35 CHARLIE SHORT:

36 Thank you.

37
38 COUNCIL PRESIDENT ANDREWS:

39 Charlie works for Health and Human Services Department and helped organize this. I
40 want to also recognize that ?????Yasmin Reyazuddin helped recognize -- organize this
41 event, and I want to recognize Mr. Tom Bickford as well.

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1
2 TOM BICKFORD:

3 Thank you.
4

5 COUNCIL PRESIDENT ANDREWS:

6 Thank you for being here, and thank you for your good work also. I will now read the
7 proclamation on behalf of the County Council and then ask Miss Brown to make some
8 remarks on behalf of the group. "Whereas, the white cane demonstrates and symbolizes
9 the ability to achieve a full and independent life and the capacity to work productively in
10 competitive employment; and whereas, the history of the white cane is traced to Europe in
11 the early 20th century, and its introduction to North America has been attributed to 1930,
12 when a member of the Lions Club International, in watching a blind man attempt to make
13 his way across a busy street using a black cane, realized that cane was barely visible to
14 motorists, and the club decided to paint his cane white to increase its visibility to oncoming
15 motorists; and whereas, the white cane, by allowing every blind person to move freely and
16 safely from place to place makes it possible for the blind to fully participate in and
17 contribute to our society; and whereas, during this time, the public is reminded that
18 persons carrying a white cane or using a guide dog are legally blind and have equal rights
19 under the law to housing, lodging, amusement, and public transportation; and whereas,
20 motorists should remember that the law requires drivers to exercise particular care when
21 approaching a blind person carrying a white cane; and whereas, it also is appropriate at
22 this time to remind employers that when blind persons receive proper instruction and
23 genuine opportunity, they can compete on equal terms with sighted persons and are, in
24 fact, employed with the broad spectrum of labor and the professions; now, therefore, be it
25 resolved that the Montgomery County Council hereby proclaims October 15, 2009, as
26 White Cane Safety Day in Montgomery County and commends the efforts of the National
27 Federation of the Blind in this, its 67th year." And it's presented today, signed by me on
28 behalf of the County Council. So thank you all for the excellent work that you continue to
29 do for the blind and visually impaired in our community, and I will present this to you. We'll
30 take a picture in just a little bit, but let me ask first if you'd like to make some remarks, and
31 also I'll recognize that former Health and Human Services Director Charles Short is with
32 us today, and thank you for all the good work that you've done over the years to help
33 people with disabilities and many other people, too. Miss Brown? There you go. And
34 actually, you may want to just move up a little bit more because I don't think that large
35 mike is still working. Got two smaller mikes on.
36

37 DEBORAH BROWN:

38 OK. Well, thank you Councilmember Andrews. We every time -- every year about this
39 time, we think about Councilmember Praisner did this for years -- you know, many years,
40 so we miss her at this time when I'm thinking about it, but I'm glad that Councilmember

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1 Andrews has decided to do this. And I have some things to give the Councilmembers. I
2 figure if I'm going to come here, I'm going to do a little bit of educating.

3
4 COUNCIL PRESIDENT ANDREWS:
5 OK.

6
7 DEBORAH BROWN:
8 So I have two things. One of these is -- now, this is a special item this year. One of the
9 other things that is -- that is a coin, and that commemorates it's been 200 years since
10 Louis Braille's birth in 1809 in France, and we had -- Congress requested the U.S. Mint to
11 issue a coin commemorating that event, so you're going to get your -- you're going to get
12 one today. Anybody else can go buy them from the U.S. Mint. But we --

13
14 COUNCIL PRESIDENT ANDREWS:
15 We'll display this proudly.

16
17 DEBORAH BROWN:
18 Yes. This commemorates -- one of our other -- blind guides need to learn to travel, and
19 they need to learn to read, and they do connect with each other, because we say, you
20 can, you know, carry this cane with you, but you got to figure out where to go, and
21 sometimes you've got to write down some directions. I worked from some written
22 directions that I had, and they were not quite complete, so, you know, when I got here, so
23 I had to stop and ask for directions. So, you know, the signs are not always readable to
24 us, but Braille is one of our other issues. Braille and the white cane are the two signs of
25 blind people that make us independent, so we appreciate this, and I also have some
26 envelopes, and there is one for each of the Council people in here. So you may pass
27 those around, and they are information about our organization, information about
28 blindness, and information about Braille, as well.

29
30 COUNCIL PRESIDENT ANDREWS:
31 Thank you.

32
33 DEBORAH BROWN:
34 So thank you all, and thank you, Tom and Charlie. Tom is probably our oldest member.
35 He's been around in the Federation since the 1950s. That's not that old.

36
37 COUNCIL PRESIDENT ANDREWS:
38 That's not bad.

39
40 DEBORAH BROWN:

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1 But -- and Charlie Short is probably one of our newest members, so I appreciate having
2 them come, so thank you all.

3
4 COUNCIL PRESIDENT ANDREWS:

5 Well, thank you, and thank you very much for the information. I will distribute it to the
6 Councilmembers, and now we're going to take a photograph. We're just going to move
7 this microphone -- big one -- out, turn these off.

8
9
10 COUNCIL PRESIDENT ANDREWS:

11 There we go. OK. Very good.

12
13 UNKNOWN SPEAKER:

14 Thank you very much.

15
16 COUNCIL PRESIDENT ANDREWS:

17 Thank you. OK. We're now going to go on to our general business -- announcement,
18 agenda, and calendar changes. Miss Lauer.

19
20 LINDA LAUER:

21 There are two changes to the agenda for this morning. In the Legislative Session, we're
22 deferring introduction of Bill 36-09, Personnel - Audits - Trust Fund, and then in the District
23 Council Session, we're deferring action on Zoning Text Amendment 09-03, Home
24 Occupations and Residential Off-Street Parking.

25
26 COUNCIL PRESIDENT ANDREWS:

27 OK.

28
29 LINDA LAUER:

30 And we received no petitions this week.

31
32 COUNCIL PRESIDENT ANDREWS:

33 Very good. Thank you. I'll turn to Councilmember Knapp. I think he has a comment about
34 the ZTA that we're deferring, 09-03.

35
36 COUNCILMEMBER KNAPP:

37 Thank you, Mr. President. Staff has raised a number of issues as it relates to ZTA 09-03,
38 Home Occupations and Residential Off-Street Parking, as have a number of
39 Councilmembers, and so I would suggest if Councilmembers have specific questions or if
40 your staff have questions to get them to either Jeff Zyontz or to Carmen Berrios on my
41 staff, and we will make sure that those get worked back into the PHED Committee when

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1 we take this bill back up in committee. So I just want to urge people -- I know people have
2 been giving some more thought to this as a result of this potentially coming up today, so if
3 you have those ideas, just quickly jot them down, and we'll make sure we take them up.

4
5 COUNCIL PRESIDENT ANDREWS:

6 Very good. OK. There -- I see there are no petitions that we received in the past week, so
7 we'll now move on to Item C, which is approval of the minutes of September 29, 2009. Is
8 there a motion for approval?

9
10 COUNCILMEMBER LEVENTHAL:

11 Approve the motion.

12
13 COUNCIL VICE PRESIDENT BERLINER:

14 Second.

15
16 COUNCIL PRESIDENT ANDREWS:

17 Moved by Councilmember Leventhal.

18
19 COUNCILMEMBER FLOREEN:

20 Let's go for it.

21
22 COUNCIL PRESIDENT ANDREWS:

23 Seconded by Council Vice President Berliner. All those in favor of approving the minutes
24 of September 29, please raise your hand. That is unanimous, 9-0. We'll now move on to
25 the Consent Calendar. Is there a motion for approval?

26
27 COUNCIL VICE PRESIDENT BERLINER:

28 So moved.

29
30 COUNCILMEMBER KNAPP:

31 Second.

32
33
34
35 COUNCIL PRESIDENT ANDREWS:

36 Moved by Council Vice President Berliner. Seconded by Councilmember Knapp. Any
37 comments or questions about any items on the Consent Calendar? I'll make a comment
38 about one item, and that is Item C, which is action on a resolution to approve the FY11
39 Council Grants process. As I've stated throughout the year and as other Councilmembers
40 have stated, too, one of our major goals in the budget this year was to protect the safety
41 net and to ensure that we continue to provide services for the most vulnerable people in

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1 our community, and one of the major ways that we do that is to work closely with the
2 nonprofit community, and we have a Council Grants process for a number of different
3 purposes and causes, and one of the most important ones is to provide enhanced safety
4 net services, and this year, as we all know, more people have been falling into the safety
5 net as a result of the severe recession. I want to note that the process that we're
6 approving today will be very similar to last year's and the years before. There's been a lot
7 of improvement, in my view, over the last few years to the process. Councilmember
8 Leventhal, Councilmember Praisner spearheaded that effort over the last few years, and I
9 thank them for -- former -- our late colleague Councilmember Praisner, and
10 Councilmember Leventhal has continued to lead the effort to ensure that we have a grants
11 process for all of our requests that is as thorough and sound as possible. And so we are
12 again encouraging and saying to the nonprofit community that we're especially interested
13 in receiving grants that provide emergency assistance and other assistance to the most
14 vulnerable people in our County. We have a deadline for application of January 29th.
15 We're appointing, are going to be appointing, a Grants Advisory Panel, as we have in the
16 past 3 years, to review the grants and provide comments to the Council about the capacity
17 of the organization to deliver on the request and its general viability, and then the Council
18 will make the final decision in the spring budget. But I think that it's a good process, and
19 we have a slightly different process for arts and humanities grants. They go to the Arts
20 and Humanities Council, and grants that are in the area of adult literacy go to the
21 Montgomery County -- Montgomery County Coalition Adult English Literacy, MCAEL,
22 which is based at Montgomery College. So those grants go directly to those organizations,
23 and final approval is by the Council. So that is what we're putting in movement today by
24 approving this resolution to get the FY11 Council Grants process going. I see that Council
25 Vice President Berliner has his light on, and then Councilmember Knapp.

26
27 COUNCIL VICE PRESIDENT BERLINER:

28 Just to bring to my colleagues' attention number G on our Consent Calendar today, which
29 is a pilot program that does have the potential to generate upwards of \$400,000 in
30 additional revenue for our County by burning our trash during peak hours. There is a great
31 difference between selling electricity during peak hours versus nonpeak hours, and now
32 the County is going to be having a pilot program in which we focus on ensuring that we
33 maximize our opportunities to sell our landfill trash-burning electricity at a peak period of
34 time, which hopefully will generate additional revenue for our County, and look forward to
35 taking this matter up, Madame Chair, in our committee, I believe next week.

36
37 COUNCIL PRESIDENT ANDREWS:

38 Council Vice President Berliner. Councilmember Knapp.

39
40 COUNCILMEMBER KNAPP:

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1 Thank you, Mr. President. Just a comment on Item E, Executive Regulation, Apparatus
2 Staffing Policy. This seems like a fairly straightforward, mundane issue, but I'd appreciate
3 the Public Safety Committee's issues -- or attention to this issue, because this really talks
4 about the requirements of who rides on the various apparatus and what are the
5 qualifications and training elements associated with our firefighters who are responding to
6 the calls in our community, and it's important to make sure that we have the best trained,
7 best equipped firefighters out there to address public safety in our community, and this
8 has been a long time in the making, and I appreciate the chair of the committee, the
9 Council President, and the committee members' focus on this, and I know this wasn't as
10 straightforward as it would appear, and I thank you for your efforts on that, because this is
11 a very critical issue, even though it kind of slides underneath the radar screen.

12
13 COUNCIL PRESIDENT ANDREWS:

14 Thank you, Councilmember Knapp. The staffing of our emergency apparatus, as you
15 noted, is very important, and this addresses some aspects of it. We'll be coming back to
16 other aspects of it in a future regulation, and thank you for your attention to the issue. I
17 don't see any other comments on the Consent Calendar, so we're ready to vote, then, on
18 approval of the Consent Calendar. All those in favor, please raise your hand. That is --
19 Miss Trachtenberg? Yeah. Very good. All right. That's unanimous, 9-0. OK. We're now
20 going to have a presentation by the Committee to Study the Compensation of the County
21 Executive, County Council, Sheriff, and State's Attorney. It's their report. Every 4 years,
22 the Council appoints a committee to -- under the Charter, it's required to be done, to
23 review the compensation of the County Executive, Council, Sheriff, and State's Attorney
24 and to make recommendations that are applicable to the next County Council and to the
25 next County Executive and so on -- next Sheriff, next State's Attorney. So the County
26 Council is prohibited from changing the compensation in the middle of a term. This
27 committee is making recommendations about what the compensation would be for the
28 Executive, Council, Sheriff, and State's Attorney after the next election, the next term. And
29 I want to thank the commission of the committee for their work. They met with many of us
30 on the Council and many others, as well, and did a lot of research. The chair, Yale
31 Wiesberg, thank you very much for chairing the organization of the group. Mr. Bryan
32 Beamer, thank you. Mr. Giles Knight I see, George Sauer, and Susan Lefkowitz -- thank
33 you all. Mr. Beamer couldn't be with us this morning. We thank him for his service as well.
34 And Jean Arthur of the Council staff staffed the committee. So with that, I will turn to Mr.
35 Wiesberg, the chair, for his presentation.

36
37 YALE WIESBERG:

38 Thank you, President Andrews, members of the Council. You've introduced 3 of the 4 -- 4
39 of the members that are here today, and Mr. Beamer was not able to make it. The
40 committee would like to commend the outstanding job of both Jean Arthur and Susan
41 Mabie of Council staff in collecting, assisting, and interpreting the relevant data. We were



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1 asked to have a report by a deadline of September 30 of this year, and we did submit the
2 report on September the 21st, which I'm sure most all of you have read. The task for the
3 committee was extremely difficult. The County is experiencing the worst economy since
4 the Great Depression. County employees did not receive a general wage increase for
5 2009. There is a possibility of furloughs or layoffs, and services to the general public are
6 being reduced. The committee did consider the fringe benefits that the elected officials
7 have access to in determining the compensation. I would like to discuss the committee's
8 recommendations. The methodology used by the committee consisted of interviews with
9 the elected officials, review of documents, public participation, and comparative data
10 including compensation from other jurisdictions. Note should be made that we only used
11 counties as comparables, and not cities. The committee's review and recommendations
12 are without regard to politics or personalities, with total focus on the jobs, not the
13 incumbents. I would like to discuss the positions in the following order, starting with the
14 Sheriff, then the State's Attorney, County Executive, and then the County Council. The
15 committee did find that the offices of Sheriff and State's Attorney are easier to equate with
16 an occupation or employment when it comes to defining duties and attempting to set
17 corresponding salaries. The Sheriff, whose current salary is \$135,298 -- the committee
18 recommends approximately a 14% increase to \$154,000 beginning in the year December
19 of 2010. The compelling arguments for this raise are the salary for the Sheriff in Fairfax
20 County, the Assistant Chiefs of Police in Montgomery County, and the fact that his Chief
21 Deputy is making more than him. Due to the significant raise that the committee
22 recommends in December of 2010, the committee recommends no pay raise in the years
23 2011 and 2012, and recommends a CPI -- the lower of the CPI raise or the general pay
24 raise for the Fraternal Order of Police. Next, the State's Attorney. State's Attorney is -- by
25 the way, the Sheriff is not expected to get any cost of living raise in December of this year,
26 and the State's Attorney is not expected to receive a cost of living raise in January of
27 2010. He is currently making \$173,181. The committee does recommend an increase in
28 the year January of 2011 of approximately 15% to \$199,000. The compelling evidence for
29 this is what the County Attorney is making here in Montgomery County and also the
30 State's Attorney in Baltimore County. The County Executive. The County Executive is
31 currently making 171,000 and will receive a raise on December 7 of this year of \$4,000,
32 coming to \$175,000. The committee recommends no pay raise for the County Executive
33 for the years 2011 and 2012. The compelling evidence for this is based upon what other
34 County Executives make, what the Governor of Maryland makes, and the state of the
35 economy here in Montgomery County. Finally comes the County Council, and believe me,
36 this was the hardest decision that the committee had to make, by far and away. And we
37 did interview, as you know, 7 of the 9 Councilmembers. Currently, the Council makes
38 \$94,040, and the Council President gets an extra 10%, which approximates \$103,440.
39 Councilmembers are not expected to get a pay raise in December of 2009 because of the
40 cost of living. In 2006, Montgomery County voters approved an amendment to the County
41 Charter which states, "Membership on the Council should be considered a full-time

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1 position for the purpose of determining compensation." The committee did confirm this by
2 the interviews. The prior Compensation Committee, which I was a member, was also
3 aware that Councilmembers worked full-time. The recommendations for the Council are
4 as follows. No pay raise for the year December 2010, a 5% raise for both of the years
5 2011 and 2012, and in the year 2013, the lower of the cost of living, consumer price index,
6 or the general pay raise for MCGEO. We also recommend that the Council President
7 continue to make 10% differential. The Council should note, on page 10 of the report, the
8 committee believes that like members of Congress, Councilmembers should be limited as
9 what they can earn from outside sources. The committee believes that a limit will help
10 maintain Montgomery County's reputation for ethical government and recommends that
11 the County Council refer the question of outside income limitation to the Charter Review
12 Commission for consideration. Thank you.

13
14 COUNCIL PRESIDENT ANDREWS:

15 All right. Thank you, Mr. Chairman, for the hard work of the committee on the report and
16 for the presentation. There are a couple of lights. I'll just ask a clarifying question, and that
17 is that in the recommendation regarding the County Council in terms of recommending no
18 pay increase for 2010, that would have been the pay year -- the year that begins
19 December 2010.

20
21 YALE WIESBERG:
22 December.

23
24 COUNCIL PRESIDENT ANDREWS:

25 And so it's primarily 2011, actually. Just so that -- because it's 1, 2, 3, 4. It's 4 years in a
26 term. So it's -- December 2010 through December 2011 will be year one of the next
27 Council.

28
29 YALE WIESBERG:
30 Correct.

31
32 COUNCIL PRESIDENT ANDREWS:

33 So it's clear. Thank you. Councilmember Ervin.

34
35
36
37 COUNCILMEMBER ERVIN:

38 Thank you very much. I just wanted to thank the committee for all your thoughtful work on
39 this issue. I appreciated the time I was able to spend with you. We had some really great
40 discussion about the work of the Council and what I believe should be a broader
41 discussion about what we expect in terms of who are our elected officials and how -- why

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1 is it that it's so difficult to get really talented people to come and do what we've all done,
2 which is to run for office and to serve our community. And we -- and I know I said this
3 when we chatted -- that for me what was really important was that I was able to maintain
4 the great quality of staff that I have in my office, and the Council -- this is another
5 discussion, I'm sure, but the Council -- we all have the same amount of money allocated
6 to us to hire and retain staff, and I think it's becoming more and more difficult to entice
7 really talented people to come and work for County government. So I'm not by myself
8 when I say that many of us hire staff that make more money than we make, and it's not
9 that I'm complaining about that, but in order to do what I do every single day on behalf of
10 my constituents, I think it's a very important thing. And so I really have appreciated the
11 time I was able to spend with you all. I know that you struggled enormously with the fact
12 that we're in a down economy, but I think you've made some really great
13 recommendations, and I just want to say for me how much I appreciate it.

14
15 YALE WIESBERG:

16 Miss Ervin, could I make one comment, which I've expressed to you and other
17 Councilmembers and to the committee? I believe you are the only Councilmember to have
18 satellite offices, and we were quite impressed with that, and hopefully other
19 Councilmembers will consider that, too.

20
21 COUNCIL PRESIDENT ANDREWS:

22 Thank you. I wanted to ask Mr. Farber, who I know has dealt a lot with issues of this type
23 here at the Council, if he wanted to make any comments. I know that he was interviewed
24 as well and has a lot of perspective on compensation issues as the person on the Council
25 staff who does a lot of work in fiscal and compensation issues.

26
27
28
29 STEPHEN FARBER:

30 Well, I would agree, Mr. Andrews, the committee has done a very, very thorough job. I
31 think their research has been very complete. This is a very difficult time for a committee
32 like this to grapple with these issues because the economy is down, and I think it is
33 important to note that the job of Councilmembers, as the voters indicated when they
34 approved the Charter amendment two years ago, is at a minimum a full-time job and by
35 many measures, more than a full-time job. And I think what's involved as a result for
36 Councilmembers is a tremendous amount of effort and contribution to the community for
37 compensation that compared with more than a thousand of--members of the County
38 government workforce alone, not including the school system, does not -- does not
39 compare well. So I think that that's a salient point, and I would hope that over time --
40 perhaps when the next commission 4 years from now has an opportunity to look at these
41 issues -- the economy will be in stronger shape and there can be a more accurate

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1 reflection of what I think the voters intended to do two years ago or three years ago when
2 they adopted the Charter amendment that Mr. Wiesberg referred to.

3
4 COUNCIL PRESIDENT ANDREWS:

5 OK. All right. Thank you. Let's see. I don't see any other comments, so on behalf of the
6 County Council, I want to thank you again for the very diligent work that each of you put
7 into this committee. I know you worked hard over a period of many months, and thank you
8 for undertaking a difficult task in a difficult year, and we very much appreciate your efforts.
9 The County relies very heavily on the contributions of volunteers like yourself to give us
10 good advice, and thank you for devoting your time to this. And I know Mr. Sauer and Mr.
11 Wiesberg had served before, so thank you for doing it again. I think you were the two that
12 served before. Did I -- it was 2 of the 5. And so thank you for -- for your continued service
13 in this way, and we may have, if there are follow-up questions that arise, we will definitely
14 get back to you, and again, thank you for your good work. All right. We are now going to
15 move into our Legislative Session. We have one bill for introduction, and that is Bill --
16 Expedited Bill 35-09, Police - Drug Enforcement Forfeiture Fund - Amendments,
17 sponsored by Councilmember Trachtenberg and co-sponsored by Councilmember Elrich,
18 myself, and Council Vice President Berliner, and I believe Councilmember Leventhal as
19 well. Yes. So -- and Councilmember Navarro. Terrific. All right. I will turn to
20 Councilmember Trachtenberg, lead sponsor, for some comments.

21 COUNCILMEMBER TRACHTENBERG:

22 Thank you, President Andrews. Expedited Bill 35-09 is being introduced, clearly to provide
23 funding for drug treatment services here in the County and drug court programming, if
24 necessary. A few months back, when there was a lot of public conversation about the use
25 of the fund itself, went and looked at the language, the law, and determined that there was
26 potential in two distinct areas. One would be to expand drug enforcement to include
27 treatment and Drug Court programming. The other would be to acquire a quarterly
28 reporting mechanism on both the fund balance and any expenditures that were applied to
29 the fund. I am delighted that I have 5 cosponsors. I would also note for the public record
30 that there was a unanimous resolution passed by the Alcohol and Other Drug Abuse
31 Advisory Council back in September actually asking that the regulation on the fund be
32 amended to include language around treatment and prevention services. This is a
33 standard of practice that has been applied in many other jurisdictions across this country,
34 and so I look forward to the public conversation. I am, as I said, delighted with the 5
35 cosponsors, and I know that the treatment community and those that are in recovery are
36 very grateful for this opportunity not only to have this language amended, but also to have
37 a conversation about the importance of treatment, and specifically our Drug Court here in
38 Montgomery County. So I thank everyone for supporting the bill this morning.

39
40 COUNCIL PRESIDENT ANDREWS:

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1 Thank you, Councilmember Trachtenberg. And there's a public hearing tentatively
2 scheduled for November 3 at 1:30 for the bill. I want to note that it is very important for the
3 County to continue to provide drug treatment services and Drug Court services in many
4 respects. One, it does save taxpayers dollars by helping people recover from their
5 addiction and, in the case of the Drug Court, stay out of jail, which is very expensive for
6 taxpayers. And it helps people turn their lives around, get back to being productive
7 members of the community, and it is a measure that when successful -- when drug
8 treatment is successful, and we have some very good programs in the County, and Drug
9 Court is a model program, and I commend it to anyone's attention. Judge Nelson Rupp
10 has done an incredible job across the street in heading that up. It is a very, very good
11 investment of a relatively small amount of money for outstanding results, and it's important
12 that we be able to continue those programs, even in difficult times. I'll turn to
13 Councilmember Leventhal.

14 COUNCILMEMBER LEVENTHAL:

15 Well, thank you, Mr. President, and I look forward to co-chairing a session of the Public
16 Safety and HHS committees with you on this legislation, and I congratulate your staff and
17 Councilmember Trachtenberg's staff for the thorough work and for this very good idea. I
18 do agree that where we have drug forfeiture assets, that those ought to be used to assist
19 those who are trying to get off -- get out of the cycle of addiction. I think this is a wise
20 approach, and indeed, I think it's a wiser approach, as I heard the Council President
21 commenting on the radio this morning, then spending the funds on an asset which may or
22 may not have direct relevance to the drug trade, as the law calls for. So we are in a
23 disagreement between different branches of government about expenditure of funds from
24 this drug forfeiture account. I support the Council President's leadership on this. I do think
25 that at a time of economic hardship, we really need to focus on the most critical needs,
26 and it's especially a wise approach to try to divert those who might end up committing
27 crimes or who might end up incarcerated for their addiction to get addiction treatment
28 ahead of time, and I do think that ought to be our focus generally, to the extent that we
29 can divert people from the criminal justice system early through a therapeutic approach,
30 rather than through the approach of incarceration. So I just generally am happy to support
31 this effort and look forward to discussing it in committee.

32
33 COUNCIL PRESIDENT ANDREWS:

34 Great. Thank you, Chair Leventhal. As hard -- I can't think of a better use of funds seized,
35 ill-gotten funds of drug dealers, being used to help undo the damage that they have
36 caused. I don't see any other comments. Councilmember Trachtenberg, you have a final
37 comment on this?

38
39 COUNCILMEMBER TRACHTENBERG:

40 Yeah. I think what's important to note is that the language has been amended so that
41 there is potential consideration for funding of both treatment and the Drug Court

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1 programming. This is not mandated a certain earmark, a certain percentage of the fund.
2 However, there are many jurisdictions that do do that. This is just opening up the
3 opportunity, the door, which I think is an important first step, especially at a time when we
4 know the state is very likely to cut treatment and Drug Court dollars.

5
6 COUNCIL PRESIDENT ANDREWS:

7 Thank you, Councilmember Trachtenberg. And OK -- well, that -- without introduction, that
8 bill is introduced, and the public hearing is tentatively scheduled for November 3 at 1:30 in
9 the afternoon. We're now going to go on to Item 5 -- Item 5. Yes. The District Council
10 Session item was deferred and is back at the PHED Committee, so our next item is action
11 on a resolution regarding creation of a Water Quality Working Group to address water
12 quality issues in Clarksburg. And I'll turn to Councilmember Knapp, who has taken the
13 lead on this and who is the District Councilmember for the upcounty, which includes
14 Clarksburg.

15
16 COUNCILMEMBER KNAPP:

17 Thank you, Mr. President. I gave a little synopsis last week when we introduced this, but
18 I'll just quickly recap. There was a water quality report that was issued earlier this year, as
19 was recommended in the Master Plan for Clarksburg, looking at water quality before
20 moving to Stage 4 of the build-out in Clarksburg. As a result of that, there were water
21 quality issues that were identified, and we had a recommendation from the Planning
22 Board to reopen the Master Plan. Joint committee -- joint meeting between the PHED
23 Committee and the T&E Committee back in July heard recommendations to that effect. In
24 September, I met with representatives of the community to try and get a sense of where
25 their concerns were and what issues they wanted to try to focus on and wanted us to try to
26 focus on on their behalf. And it was a representative group of the community; obviously, it
27 didn't have the entire community in a room, because that would have been a really big
28 room, but we had, I think, many of the viewpoints that are representative of the community
29 at that discussion. In there, the one issue that was unanimous amongst the folks in all the
30 various perspective was, we need to make sure that whatever actions that are taken focus
31 on water quality and Ten Mile Creek and for the community, and that being very
32 tantamount -- water quality -- and to understand the best scientific recommendations as to
33 what alternatives exist out there for us to understand what to do to preserve water quality.
34 And so, given that as kind of the charge, the other element that people were universally
35 concerned about was the uncertainty potentially imposed in the community by reopening
36 the Master Plan. Given the uncertainty that has been in Clarksburg over the past 5 or 6
37 years, to have potentially 3 more years of uncertainty of a Master Plan that had been
38 reopened was also of great concern. And it was interesting because you would have folks
39 who would say, gee, you would generally put in the camp of wanted more development
40 and those folks who generally would want less development each concerned about the
41 potential of opening the Master Plan because of the uncertainty that that could provide.

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1 Given that, and given the fact that it would probably take 2-3 years before a Master Plan
2 recommendation would come back to the Council, the conversation then went to, what are
3 the other alternatives that we can begin to explore? What are the things that we could do
4 next? And so we talked about creating a task force, as I said, present to the Council a
5 series of alternatives based on the best science associated with preserving water quality
6 so that then the Council, in the coming months, could then look at the various alternatives
7 that were before us and see if a Master Plan amendment was the best way to proceed or
8 if there were other alternatives that could help inform our decision and take us in another
9 direction, which could also preserve water quality but may not require us providing the
10 uncertainty of reopening the Master Plan for 3 years and delaying things within the
11 community. In the time since then, I have spoken with the County Executive, who was
12 supportive of creating a task force to pursue that and has offered the services of some of
13 the folks within his departments. The Planning Board chair sent a letter suggesting that --
14 and I appreciate that -- sending a letter suggesting that this work force could be very
15 helpful to deliberations on the part of the Planning Board. And I've also had conversations
16 with many of our colleagues up here as to the best way to try to put this together. As result
17 of those conversations, I have a modified resolution, which I will pass out to everyone... If
18 you look at the document I'm giving to you, the changes have been underlined. There are
19 some actual language changes within the "whereas" clauses, trying to make sure that we
20 take into account all elements to be observed as it relates to water quality, and also a
21 modification that this will be a work quality group that will be appointed by the Council,
22 which I think is a -- is a welcome change. And those are the -- those are the -- you can
23 see in the "whereas" clauses, I think the biggest thing that we tried to address was to
24 make sure that we were looking at all of the potential alternatives and the best scientific
25 outcomes that will enable us to, as a body, make the next best recommendations for the
26 community in Clarksburg and for the broader community, and I think that this document
27 certainly gives this workgroup that charge and the ability to look at all of those carious
28 alternatives that may be helpful. One of the other things that it does is it directs this group
29 to work in a very timely fashion so that we have information back in the spring so that we
30 can, between the time that the Planning -- we meet with the Planning Board this
31 afternoon, or this morning, and the time we will again meet with the Planning Board, we
32 will have information which will hopefully allow us to either give them direction to change
33 their work plan and add something as it relates to Clarksburg or to not, but we'll have the
34 information and be able to make that decision. We have not yet identified all of the people
35 for the task force, and we will walk that around to Councilmembers in the coming week.
36 My goal is to follow, actually, the model of my colleague from District 5 in Silver Spring as
37 they put the Sligo Task Force together. We'll pass the resolution today. We'll come back
38 as a Council and approve the actual members of the task force. We are looking at
39 members from DEP, Permitting Services, Park and Planning, representatives from the
40 private sector, community representative, somebody potentially from MDE, but try and get
41 folks to focus on the science, this group will also bring in experts from the outside to try



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1 and inform them so that we're getting the best thinking not just of the folks that we have,
2 but potentially more broadly. And that's what we're -- so that's what we're looking at. We
3 don't want this to be a huge working group. The idea is to have it a small, nimble group of
4 7 or 8 folks that can really meet quickly and respond quickly and get folks in so they can
5 learn. And I think these are the biggest pieces. I just want thank my colleagues -- in
6 particular, Mr. Elrich, Mr. Berliner, who had raised some issues. The Council President
7 had some issues that we talked about yesterday and have been addressed in here, as
8 well, and also thank Merle Steiner on my staff and Nancy Aldous, who worked very
9 closely, but more importantly, to thank the community in Clarksburg. I've been to many,
10 many, many meetings in Clarksburg over the last 7 years, and while many of them have
11 productive and helpful, this was probably the most productive. We had groups from very
12 divergent perspectives who haven't necessarily been in agreement on lots of issues in the
13 last few years who really rolled up their sleeves and spent a good amount of time coming
14 up with, I think, what is a very good -- potentially a very good outcome for the community,
15 and so I want to thank them for the time that they have spent on this and will continue to
16 spend on making the community as strong as it can possibly be. So with that, that's the
17 update. If people have questions as it relates to the changes, happy to answer them. Oh,
18 and I just wanted to add, Ms. Trachtenberg also was added as a cosponsor at her
19 request, so the Councilmembers who are cosponsoring are, obviously myself, Ms.
20 Floreen, Mr. Leventhal, and Ms. Trachtenberg. And so I thank my colleagues for their
21 support.

22
23
24 COUNCIL PRESIDENT ANDREWS:

25 Thank you, Councilmember Knapp, for your work in this area, and a lot of work has gone
26 into this in the last couple of days to, I think, improve it and ensure that we -- we have a
27 workgroup that will really look at the science of water quality and make the
28 recommendations that are necessary to address the -- the problems that have become
29 evident, at least in the early monitoring of water quality in the Clarksburg Ten Mile
30 watershed area. I think -- I would like to suggest one additional change, and that is, in the
31 background of the report, in paragraph two, after the first sentence, where it says, "On
32 January 26, 2009, the County Executive released the 2007 Special Protection Area Annual
33 Report." I think it's important to have a sentence that summarizes what the concerns were
34 in the report, and what I would suggest is this sentence: "The report presented early
35 monitoring results indicating that there have been detrimental impacts to the biological
36 health of the streams in Clarksburg." And then it indicates, "The report's information on
37 Clarksburg was based on 2007 data." But I think it's important to have a summary of what
38 that report found, and I think that sentence -- I think that's pretty good.

39
40 COUNCILMEMBER KNAPP:

41 Yeah. I think that adequately reflects what the report indicated.

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1
2 COUNCIL PRESIDENT ANDREWS:

3 OK. So I'll just move that. I'll move that, that we add that to the language of the resolution.
4 Seconded by Councilmember Leventhal.

5
6 COUNCILMEMBER KNAPP:
7 Friendly amendment?

8
9 COUNCIL PRESIDENT ANDREWS:
10 It looks like -- everyone support it?

11
12 COUNCILMEMBER KNAPP:
13 Sure.

14
15
16 COUNCILMEMBER FLOREEN:
17 Sure.

18
19 COUNCILMEMBER KNAPP:
20 I don't see any hands.

21
22 COUNCIL PRESIDENT ANDREWS:
23 Without objection? OK. We'll add that. OK. Councilmember Elrich is next, and then
24 Councilmember Floreen, and Councilmember -- Council Vice President Berliner after
25 Councilmember Floreen.

26
27 COUNCILMEMBER ELRICH:
28 First of all, I'd like to add my name as a cosponsor of this, and I want to thank Mike and
29 his staff, Merle and Claire Iseli, from my staff, Diane Cameron, who was very active from
30 the environmental community in kind of crystallizing some of the issues and concerns that
31 had been originally raised around the language, but I -- you know, Mike and I talked about
32 this yesterday -- but not the intent of the bill. This was a language issue, not an intent
33 issue, and I think that it's critical that we now have language I think people are comfortable
34 with that focuses on protection of the water quality as the first thing and does not prejudice
35 the outcome. There is no guarantee that when the studies come back and we get a
36 presentation that we won't have to walk down the road of a Master Plan reopening. On the
37 other hand, it's possible that there are ways to do this, and I continue to think that there
38 are even ways to do this that might involve changes to land use or densities that don't
39 involved reopening the Master Plan. People do have the ability to do things voluntarily,
40 and everybody does not have to be compelled to do things, and I'm hopeful that if speed
41 is really the issue and certainty is really the issue, that everybody will work to come to

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1 resolution that really respects the science, which is the first concern -- that can make sure
2 the creek and the watershed up there is protected as best we are able to protect it and
3 that people don't have to deal with uncertainty for 2 or 3 years. So I really appreciate your
4 openness to work on this, and there's a lot of flurry of activity in the last 12 hours and
5 numerous things -- numerous iterations, but I think we've wound up in a really good place,
6 and I want to thank everybody for helping us get there.

7
8 COUNCIL PRESIDENT ANDREWS:

9 Thank you, Councilmember Elrich. Councilmember Floreen.

10
11 COUNCILMEMBER FLOREEN:

12 Thank you. Yeah, I wanted to commend everybody on this one. I have been surprised at
13 the flurry of emails we've gotten from people raising concerns about this, but what I
14 understand is that all the rules are changing for stormwater management. And we are in a
15 -- I just want to let the Council know we are scheduling a T&E Committee meeting to get a
16 briefing on what exactly is going on -- Mr. Hoyt is here; glad to see you, Bob -- because
17 what's happening particularly at the state level is going to have significant impacts on
18 almost every aspect of our land use and transportation program, I believe, in terms of the
19 expectations and the requirements and no doubt the cost associated with implementation.
20 So we are going to work to get a handle on it at our level in a generalized sense, and it's
21 important, given the information that we got this spring on Clarksburg, to understand, in a
22 more focused fashion, how that particular information needs to be employed as we move
23 forward. But from what I gather, things are changing in a very significant way, in ways that
24 perhaps -- that's going to probably advance the whole state to a level that we haven't seen
25 before in terms of water quality and stormwater management. And I think that's a good
26 thing. I'll be a little surprised if this report is able to be completed on the schedule that's
27 identified here, but there's nothing like a deadline, is there, Mr. Knapp?

28
29 COUNCIL PRESIDENT ANDREWS:

30 Thank you, Councilmember Floreen. Council Vice President Berliner.

31
32 COUNCIL VICE PRESIDENT BERLINER:

33 Let me add my congratulations to the chief sponsor for his willingness to work in a very
34 collaborative spirit with my colleagues and myself to fine-tune what I think is an
35 unassailable premise, and that premise is that we do need answers to serious questions
36 with respect to how to proceed in Clarksburg. We need to understand what is the state of
37 the art with respect to stormwater management systems. We need to understand the
38 relationship of that to impervious surfaces. To what extent do those work together? Which
39 is the driver? How much can we expect out of the new technology that we expect to have
40 as a result of the state's new program and the County's, which we haven't seen yet.
41 Underscoring Chair Floreen's observation with respect to your timing issue, we're not

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1 going to see the County's proposal until November, as I understand it, and the state's
2 response to the County's proposal until December at the earliest. So it is going to be a
3 difficult schedule to know exactly what it is that the County is committing to when it comes
4 to stormwater issues. But for my colleagues, some of my colleagues and myself, what we
5 struggled with was the focus of this being, to some of us, a little too narrow, so that we
6 could include what we know today about the role of impervious surfaces. We've seen that
7 in other special-protection areas. It has been strongly suggested by our Department of
8 Environmental Protection that that's going to play a key role, and we need to know the
9 relationship between the two to guide us as to whether or not we need to reopen the
10 Master Plan. And I think that's fair. I don't think your community or any community should
11 be put through that level of uncertainty without being able to answer that question in
12 advance. So I think that the way this has evolved into a task force that will be reporting to
13 the full Council, that will be led by scientists, professionals, and still have input from the
14 community and stakeholders, but input that focuses on the science, because this isn't like
15 your traditional task force which our colleague on Sligo Creek and or -- and that I had
16 when it came to a McMansion issue, where you're trying to work your way through a policy
17 issue where you need to perhaps come to compromises with respect to how big should
18 the house be, how small should it be. Those are issues that stakeholder groups can work
19 and should work on. This is more fundamental. This is, what is the science? And so we
20 need that kind of objective look by our best minds as to what the science tells us we can
21 expect from best control technologies, as well as impervious surfaces. And I think now this
22 task force is in a position to provide us and the Council those answers and allow us to
23 move forward with Clarksburg in an appropriate manner. So I commend -- and I would
24 also like to be added as a cosponsor.

25
26 COUNCIL PRESIDENT ANDREWS:

27 OK. So noted. Thank you, Council Vice President Berliner. Councilmember Knapp, and
28 then Councilmember Trachtenberg.

29
30 COUNCILMEMBER KNAPP:

31 Thank you, Mr. President. I just wanted to follow up on a couple of comments. First of all, I
32 think this was important on the part of the community, as well, that this task force doesn't
33 prejudice any outcomes, that the outcome may very well be that we end up reopening the
34 Master Plan, or not. We didn't know, but we wanted to make sure that the Council had the
35 best information to make the best informed decision on that, as opposed to taking a
36 specific recommendation, and so I think that that's important, and the community was very
37 concerned about that, as well. And so I think that's an important point to get out there. To
38 Ms. Floreen's point, yes, we've had a flurry of emails, and that apparently has gotten lost
39 on those folks who had sent that email -- that this doesn't preclude potentially going there,
40 but we just want to make sure that we're in the best decisionmaking place possible before
41 we go down that road and provide that level of uncertainty. And so I thank my colleagues

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1 for that, because I think that's been very consistent with where the community has been,
2 as well.

3
4 COUNCIL PRESIDENT ANDREWS:

5 Thank you, Councilmember Knapp. Councilmember Trachtenberg?

6
7 COUNCILMEMBER TRACHTENBERG:

8 Actually, just some brief remarks. I want to thank Councilmember Knapp for his leadership
9 on this issue. Clearly, he has been a diligent advocate for those that he represents in -- in
10 the Clarksburg area. Clearly a number of us -- really, all of us sitting up here -- have had
11 conversations with the community around water quality, and it doesn't matter if you're
12 talking to homeowners or folks that are developers who have done work up in that part of
13 the County or are looking to do future work, as well. I think this is really simply a very good
14 response to the concerns that have been raised in the entire community, and I am really
15 thankful for the collaboration that went on, especially in the last 24 hours, so I want to
16 thank Mr. Knapp, especially, for that. And I think this continues to bring us forward at a
17 time when it's really important that not only we work with the community, but we have a
18 vision for the future, and clearly, Clarksburg -- the residents there -- have every right to
19 expect that we do a diligent effort on this side of the street to make sure that happens.

20
21 COUNCIL PRESIDENT ANDREWS:

22 Thank you, Councilmember Trachtenberg, and I want to thank Councilmember Knapp as
23 well, and I think that we're ready to vote on the version that says "corrected copy" and
24 then as amended a few minutes ago to summarize the findings of the 2007 data. So all
25 those in favor, then, of the resolution, please raise your hand. That is Councilmember
26 Navarro, Councilmember Elrich, Councilmember Trachtenberg, Councilmember Floreen,
27 myself, Council Vice President Berliner, Councilmember Knapp, and Councilmember
28 Leventhal. 8-0. OK. All right. We're now going to move on to our final item for the
29 remainder of the morning session, and that is our semi-annual meeting or report of the
30 Montgomery County Planning Board and our meeting with them. And I'll welcome all the
31 representatives from Park and Planning here today and to the table. I see Chairman
32 Hanson has made his way up, and Planning Director Rollin Stanley is there as well, and
33 we have a few others moving into the -- moving into position. Let me see if Marlene
34 Michaelson is -- Mr. Farber? Oh, there's Marlene Michaelson. There you go. You're sitting
35 in the front. OK. All right. We -- we're actually about on the original schedule, so I think
36 we're fine in terms of time. We have about an hour and half designated, if necessary, for
37 the report and the meeting, and I'm going to first ask Marlene Michaelson, who is our chief
38 staffer on all planning issues, to make any comments that she would like to make about
39 the packet.

40
41 MARLENE MICHAELSON:

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1 This is a presentation for the Board, so I'll turn it over to them. When they've done that, I
2 have raised a couple of points in my memo, but I think they should definitely start off.

3
4 COUNCIL PRESIDENT ANDREWS:

5 OK. Very good. And Mr. Hanson, would you introduce everybody, or have everybody
6 introduce themselves?

7
8 ROYCE HANSON:

9 I'll just ask everybody to introduce themselves. I will say that I'm expecting at least one
10 other commissioner. Not everybody go the notice that you were moving time up, but
11 you're now on time.

12
13 COUNCIL PRESIDENT ANDREWS:

14 Often works that way.

15
16
17 ROYCE HANSON:

18 So we have 2 commissioners that I know definitely will not be here. I think Commissioner
19 Cryor will be watching from home, and Commissioner Alfandre is at the National Parks
20 Recreation Association annual meeting in Salt Lake City and therefore will not be here,
21 and I think Commissioner Presley is occupied at her day job today.

22
23 COUNCIL PRESIDENT ANDREWS:

24 All right.

25
26 ROYCE HANSON:

27 Let me just ask, on my right, starting with the Planning Director, if staff members will
28 introduce themselves.

29
30 ROLLIN STANLEY:

31 Rollin Stanley, Planning Director.

32
33 ROSE KRASNOW:

34 Rose Krasnow, Chief of Development Review.

35
36 GLENN KREGER:

37 Glenn Kreger, Acting Chief of the Community Based Planning Division.

38
39 ALISON DAVIS:

40 Alison Davis, Management Services Chief.

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1 COUNCIL PRESIDENT ANDREWS:

2 OK. And if everybody can move the mike in front of you --

3
4 ROYCE HANSON:

5 And Mike Riley is right behind me and will be up when we start talking about parks.

6
7 COUNCIL PRESIDENT ANDREWS:

8 Very good. OK. Mr. Chairman.

9 ROYCE HANSON:

10 Well, most of the issues that the board wanted to draw your attention are in the
11 introductory letter that I sent you just reminding you, which I don't think is necessary, of
12 the amount of work that we're making for you at this point, and particularly for the PHED
13 Committee, and we'll -- we've already started working on the Gaithersburg West Master
14 Plan. and soon we'll have the White Flint plan in front of you, and after that, Kensington.
15 You also have the housing element for the General Plan. We will have on our agenda
16 tomorrow the water resources element for the General Plan, which is also required by
17 state law. Behind that is a green infrastructure plan, and then we have behind those plans
18 that will come to you late next year but not in time for Council action before the election,
19 so that -- I think we're scheduling Council action on those after the election -- will be the
20 Takoma-Langley Plan and the Wheaton Plan. And you have in -- behind the report, the
21 extended planning schedule. There are just 2 or 3 things that I wanted to particularly draw
22 your attention. One is to again urge prompt action, if we can, on the enforcement package
23 that has been introduced. That's really very important in beginning to get in order any of
24 the pending enforcement issues that are involved. We've had some discussion 2 weeks
25 ago with the T&E Committee on the development review process, and -- or was it with the
26 PHED Committee? I can't remember which now. PHED Committee. On the development
27 review process, and I believe we're going to have some further discussion of that this
28 afternoon for a few minutes. Director Art Holmes of the DOT and I have sent a joint letter
29 to the committee laying out a process for trying to get some resolution of issues that are
30 even older than I am on the development review process. I did want to call to your
31 attention something that I think is a long-term problem for the commission, and that is that
32 we're confronting a structural deficit as we go into out years, and this goes back to the fact
33 that our tax rate has been reduced for the last several years, and if we stay at that
34 reduced track -- tax rate and we continue, particularly in the park system, to build and
35 commission parks, we're running into some real problems, and I simply wanted to bring
36 that to your attention because I know we're going to have to talk about it as we get into the
37 budget process. The other 2 elements are also budgetary issues -- the Special Revenue
38 Fund, which we -- we would really like to get the Special Revenue Fund and the
39 elementary and middle-school ball field maintenance out of the SAG calculations because
40 they have a considerable impact on our SAG goal, and particularly the ball field
41 maintenance issue for the elementary school ball fields -- something we're perfectly happy

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1 to do, but because they're currently -- the money is currently appropriated to the Park
2 fund, it means that that is included in our SAG requirement, and we think if it's
3 appropriated to a special fund, that would help resolve that problem, and you're all very
4 familiar with the Special Revenue Fund for development review issues. And because of
5 the changes in the economy, the fund is not likely, in the current fiscal year and probably
6 in the next fiscal year, to meet the needs that are necessary there, and we have been
7 making up the difference from the -- from the reserve that we accumulate. So we're trying
8 to see if this may be the magic year in which we can get these fiscal issues straightened
9 out. With that, we have 2 presentations we would like to make to you, one from Planning
10 and one from Parks, and unless there are questions on the totally non-controversial things
11 that I've just said, we would be happy to move into the presentation from -- from the
12 Planning Department, and then from the Parks Department, a presentation on our
13 Enterprise Fund.

14
15 COUNCIL PRESIDENT ANDREWS:

16 Let me mention at this time that the Council has added a second evening for the White
17 Flint hearing. So we will have second evening hearing on Thursday on the 22nd, in
18 addition to Tuesday the 20th. We have had about 85 or 90 people sign up to testify, so we
19 want to accommodate them, so we wanted to let you know that in case that hadn't been
20 announced yet. But there's a lot of interest in that plan as well. Councilmember Leventhal,
21 do you have a question at this time?

22
23 COUNCILMEMBER LEVENTHAL:

24 I'll be happy to wait until after the presentations, Mr. President. Thank you.

25
26 COUNCIL PRESIDENT ANDREWS:

27 OK. Thank you. OK. Well, please proceed with the presentation, then.

28
29 ROYCE HANSON:

30 I'll turn, then, to Mr. Stanley.

31
32
33
34 ROLLIN STANLEY:

35 Good morning. We'll hit the high points. So, as you know, we do Master Plans, which
36 show the what and the where of our business. Zoning is the how, and the Growth Policy is
37 the when. I want to talk first -- and I'll ask Glenn to help me out a little later -- on the
38 Master Plan schedule. You've seen this in the Growth Policy booklet and presentation
39 which talks about the where part -- where can we grow? And the top left is the 8,000 acres
40 of surface parking lots, the vacant land of 14,000 acres -- and which you've heard me say
41 is probably closer to 10,000 if you take out the environmentally sensitive parts -- and the



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1 bottom bubble is the growth areas around the subways, et cetera, totally somewhere
2 about 23,000 acres of land. This is a graphic we showed you at the last semi-annual in the
3 spring about the Master Plans. Starting from the left, you've dealt with Germantown,
4 you're dealing with Gaithersburg West, you'll start White Flint soon, Kensington will be
5 transmitted shortly, and Wheaton we're working on, and at your request, we've - -we'll
6 hold off sending you Takoma until 10 months from now. And we'll get into the schedule
7 here in -- a little later. So current schedule is, you've got 3 plans and 4 SMAs prior to the
8 election. Future plans, you've asked us to send you only 3 annually, and thrown in the mix
9 some functional plans. And I'll turn it over to Glenn to just go over -- and this is in your --
10 you should have the book, as well. If you don't, I think we have some extra copies. This is
11 a little more legible in there.

12
13 GLENN KREGER:

14 OK. Thank you, Rollin. The important thing, of course, is that we have proposed a
15 schedule which we think meets the Council's needs. We heard you loud and clear about
16 what you would like to see as far as sending you plans that are something you can digest
17 and that results in about 3 plans per year, plus the functional plans. The next plan you're
18 going to get is the Kensington Plan, which is being prepared for publication as we speak.
19 The Planning Board has voted to transmit that. And we have, per your request, delayed
20 Takoma-Langley until next year. I would note that the Takoma-Langley area is a bi-county
21 planning effort, and Prince George's County is actually proceeding with their part. They're
22 schedule to approve their plan on November 10 and the SMA in the spring. So we'll
23 continue to need to monitor what they're doing and see how they're final
24 recommendations in their plan affect what we're proposing in our plan and continue to
25 work with them on that. I do want to say, with regard to both the Takoma-Langley Plan
26 and the Kensington Plan that we have worked very closely with the municipalities. We
27 have had quite a good working relationship with both towns in the Regional District.
28 Mayors and relevant Councilmembers from both Kensington and Takoma Park have
29 actually sat in on the Planning Board's public hearings and worksessions. I think this had
30 made it a smoother and more constructive process and ultimately resulted in better plans,
31 so we want to thank the 2 municipalities for their help. Rather than have the Takoma-
32 Langley deferral bump Wheaton, you agreed at your lunch a few weeks ago that you
33 would be willing to take up Wheaton only a few months after Takoma-Langley, so we've
34 put that in the schedule. We agree with the County Executive that we really don't want to
35 defer Wheaton any longer than we have to, because we want to make sure that Wheaton
36 is positioned to benefit from the resurgence in the economy when that occurs and that
37 they can capitalize on the rebound in the economy and we can see increasing investment
38 in Wheaton. So the plan shows that you would be getting Wheaton only a couple of
39 months after you get Takoma-Langley, but our understanding is that that is acceptable. In
40 the first part of next year, we propose to take a look at Battery Lane, finally. That's been
41 delayed a couple of times, and I frankly expect this to be mostly an economic analysis

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1 with regard to the options for preserving affordable housing. It might ultimately lead to a
2 Master Plan amendment. We don't know, but the place to start is looking at what the
3 options are for preserving affordable housing. We are proposing to do that early next year.
4 We are also undertaking a second Purple Line station plan. Takoma-Langley is actually
5 the first. People tend to forget that but that's basically why we started there. Battery Lane -
6 - excuse me. Long Branch is the second one that we'll be doing, and we are planning to
7 start that at the beginning of the year, and that would build on the work that has already
8 been done. There were actually 2 Long Branch task forces, and there was a ULI
9 Technical Panel that came in and looked at the Long Branch area, and we look to build on
10 that, and we're looking forward from help and support from the Executive branch, as well,
11 particularly ????? DHCA and the Silver Spring Regional Center. We've already mentioned
12 this effort to the new director there, Reemberto Rodriguez, and frankly, we may also
13 benefit from helping from the Health Department. The Planning Department is working
14 with HHS on their CHIP project, and we've told them that we would like their input early
15 into the Master Plan process, as well, not just in Long Branch, so we're hoping that they'll
16 be involved. The schedule that we have proposed also shows that we're prepared to
17 revisit Clarksburg, starting next July, if that's what the Council would like us to do. You've
18 already discussed the task force that could lead into that effort. As you know, the existing
19 Master Plan made a point of protecting the Ten Mile Creek watershed, and we feel that if
20 we're going to undertake that, we're going to need significant outside assistance from
21 professionals with state -- expertise and the state-of-the-art techniques and potentially
22 also a facilitator for the public outreach that would be involved, and that would be
23 significant. ?? Mark Beverly is here if you want to talk about that in more detail. In 2011,
24 we also expect to finish the current round of Metro station plans, with White Flint II and
25 Glenmont. We can't really start White Flint II until we finish White Flint I, and as you know,
26 you'll be having you're hearing on that soon. Some of the recommendations in White Flint
27 I have actually generated developer interest in the area just outside the boundary of White
28 Flint I, near the proposed MARC station. Glenmont has been bumped before, but we think
29 it's time that we do go back to Glenmont and finish the other leg of the Red Line. There's a
30 lot of infrastructure planned for Glenmont -- a new interchange, a Metro garage, a
31 replacement fire station -- and we think that that area may also be an area where we
32 would want to apply the new CR Zone, if -- assuming that that proceeds as well, and of
33 course we know that's under discussion. Looking forward, we have put in the Master Plan
34 future Purple Line stations. One may be Chevy Chase. We didn't specifically identify what
35 would be the one that would come third after Takoma-Langley and Long Branch. It's up to
36 you whether you want to specify which station is going to be number 3. You don't have to
37 do it now, but you could. We continue to show the Route 29 corridor mobility and land use
38 plan, which we think is going to be a very important effort on our part. It's possible that that
39 might contemplate a second Life Sciences Center, near FDA and the new location for
40 Washington Adventist Hospital. It's what many people refer to as the Cherry Hill
41 Employment Area. It also includes Site 2 and the ????? Perconte property. We have



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1 crafted a Live Sciences Center Zone that could be applied there as well as to the
2 Gaithersburg West area. The Text Amendment for the LSC Zone is currently being
3 reviewed by the PHED Committee. In order to accommodate development in that area, it's
4 pretty certain that we're going to have to address the mobility issue in that area, and we're
5 going to be looking very hard at transit options in the eastern part of the County as part of
6 that. So I think that pretty much covers where we're going, and I'll be happy to take
7 questions.

8
9
10 COUNCIL PRESIDENT ANDREWS:

11 Thank you very much. Well, let's see. What would be the next presentation?

12
13 GLENN KREGER:

14 I'm not finished.

15
16 COUNCIL PRESIDENT ANDREWS:

17 You're not finished. Then in that --

18
19 ROLLIN STANLEY:

20 We do more than Master Plans.

21
22 COUNCIL PRESIDENT ANDREWS:

23 In that case, keep going. I'd like to give you the chance to finish the presentation first, and
24 then we'll launch into the questions.

25
26 ROLLIN STANLEY:

27 Thanks. As we move into the new round of budget discussions, there would certainly be
28 budget implications with respect to potential cutbacks, which we would identify. Certainly
29 the White Flint II is one that may have to be delayed, given potential budget situations.
30 Regarding the Clarksburg Stage 4, obviously, the public input, if we do proceed to a
31 Master Plan, would be considerable. The reason for recommending a consultant for that is
32 to get the state-of-the-art thinking on environmentally sensitive design and low-impact
33 design prototypes, and moving to, as the diagrams show, or pictures show over there, a
34 compact housing situation, where currently we're working with a potential subdivision in
35 the north part of the County where we're asking them not to cover the land with typical
36 subdivision with about 35% paved surfaces but to explore compact housing schemes, as
37 you see here from the Pacific Northwest. Any Clarksburg plan would also look at cost
38 estimations in modeling of the land geographically as well as environmentally and
39 physically. As part of our efforts, we're also talking about launching a neighborhood
40 planning effort, which I think I've discussed with a couple of the Councilmembers. We
41 have over 40 Master Sector Plans that have been -- some of them going back 30-plus

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1 years that have never been revisited. We think there's a potential to put a team together
2 on our staff to start looking at those plans to see if there are specific issues that could be
3 looked at in a small way -- not revise the whole plan, but look at things that have arisen
4 that may be of interest. One example that comes up is the Adventist Hospital reuse. So
5 what we're looking for, are there narrow issues that simply need updating in a specific
6 plans or something, would involve the community as well as other departments. The
7 outcomes of those exercise could be a Limited Master Plan Amendment, a design study
8 not unlike what we did for Georgia Avenue, an economic analysis, as we already started
9 in Battery Lane, or a small Zoning Amendment, like you've dealt with at the Wheaton
10 Limited Master Plan Amendment. But it would be also about engagement, but it would not
11 be a full-blown Master Plan process. We also see it as an excellent way of getting the
12 community involved. I'd like to now speak briefly about the zoning effort. The consultant
13 was in town for the first time 3 weeks ago. They met extensively with groups around the
14 community, including at the County level. Staff work is continuing on documentation of
15 every provision in the Zoning Ordinance, as well as the mapping. You know, you've heard
16 me speak about this before. Those are all the -- and I've forgotten what they call them.
17 ????? TIFs or something? I can't remember the name. But those are all the WSSC
18 districts that we use for our mapping base. The different colors represent the different
19 stages of the mapping process, where we're converting all the maps from a hand-drawn or
20 an AutoCAD level into geographic information systems level so that they can be used for
21 ultimate amounts of information. This is a huge, huge, huge undertaking. All these maps
22 have to be researched, redrawn, verified, et cetera, and there's basically 4 stages that that
23 gets us to, and that is moving ahead, and the staff are undertaking an inordinate amount
24 of work on that. Eventually, what we hope to have is links to all the information on zonings
25 -- minor variances, et cetera -- where you could just click on a section on the map and get
26 that information on your computer. The Zoning Advisory Panel continues to meet monthly.
27 Our next meeting is next week, where we'll be discussing sustainability provisions for a
28 zoning ordinance, as well as the mapping and the progress. They also dealt with the CR
29 Zone. Growth Policy. As the PHED Committee knows, we're dealing with that now. The
30 big question we've asked ourselves is, have we developed as planned, and certainly we
31 have. As Royce has spoken about around the country, we've developed large-lot
32 subdivisions, office parks, shopping malls, and single-purpose districts. It's now time to
33 think that through and see if it's time to change, and we've certainly done it well in
34 Bethesda, Silver Spring, and to some extents in Wheaton. We're looking at Growth Policy
35 in terms of also, is it generating impervious surfaces, lots of greenhouse gases. One thing
36 about a suburban community is, vehicles make more greenhouse gases than buildings. In
37 urban communities, buildings make more greenhouse gases than vehicles. And that's
38 something we'll be talking with -- about much further. So congestion is obviously an issue,
39 and our life -- the way we've grown has resulted in greater consumption. If you look at the
40 "Wall Street Journal" today, you'll see them talking to the southwest about water. We have
41 to start talking about our water consumption, as well. The result is, we're an expensive

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1 place to live, build, do business, and maintain. There are certain expectations about
2 congestion. More capacity equals more congestion, straight up. Don't think for a moment
3 that if we create more capacity, it's going to reduce greenhouse gases. It won't. Nothing
4 green about reducing congestion by distributing traffic more efficiently. The traffic volume
5 simply increases, and the extra miles driven equals greater greenhouse gases. We'll
6 come back to that as we talk to you more on green Growth Policy. Our current view of
7 congestion is basically 1950s engineering school thinking. It's a zero sum game. The
8 more you build, the more people will drive. The key part here is that the federal and state
9 legislation is advancing growth, and what you know as the Cap and Trade Bill, the Climate
10 Trade Bill, has a section in it, Room222, called Transportation Efficiency. HUD, EPA, and
11 DOT will be linking their infrastructure money to those things -- your land use regulations,
12 your Growth Policy as related to job centers and public facilities, better utilizing existing
13 infrastructure, and promoting mixed uses and alternative modes. If our Growth Policy
14 doesn't pick up on this along with our Master Plans, it doesn't set us very well for future
15 funding compared to other municipalities. Our proposals include the same factors that I've
16 just discussed about smart growth Supported by the state, it's a model for others. I was
17 recently at a conference with several states where they're actually looking to see what our
18 Growth Policy is doing, and that includes California. And it makes us more competitive
19 funding if we branch out. Process -- and I'll ask for Rose's help here in a moment. The
20 question is, can the process be shorter while maintaining citizen participation? And the
21 perception is, as we shorten processes, people feel -- the perception is they'll lose out on
22 the citizen participation. We think we can do it. Basically, the current process does not
23 work. The consultants for the zoning came in and said we have one of the worst examples
24 in the country, which is kind of what I was saying last year, but I'm letting somebody else
25 say it now. So we have one of the worst examples in the country, and the results do not
26 show in any positives. Are we getting better development than other places? Absolutely
27 not. Is there support for change? Well, we hope so. And I'll let Rose get into this now.

28
29 ROYCE HANSON:

30 You can see it's really simple.

31
32 ROSE KRASNOW:

33 Right. I was going --

34
35 GLENN KREGER:

36 What a lead-in.

37
38 ROSE KRASNOW:

39 Yes, isn't it? But it's actually very accurate. If you can't read all the little boxes, I would say
40 don't worry about it. I think the overall impact you see from looking at this slide. This is our
41 current process. It is a very detailed process, starting at the top with an NRI-FSD, going

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1 through many, many stages, before ending on the right-hand side with a resolution, the
2 opportunity for appeal, and then going on to building permit. I actually think -- as we tried
3 to examine what we would do to streamline the process, what we realized was
4 unfortunately, the steps that you see in front of you are for the most part necessary
5 because the many things that we have to balance -- the stormwater management regs,
6 the affordable housing laws, the road code. It takes a while to make everything work on a
7 proposal, but the problem is that except on very simple residential development, you have
8 to go through this process at least once, possibly twice, maybe 3 times, and in some
9 cases, even 4 times -- the whole process, basically starting again at the top, going through
10 all these steps. And so what we have tried to do is to figure out a way where no matter
11 what you're coming in for, you will only have to go through this process one time. And I
12 really do want to stress that, and here's a -- here it is under the new plan. Doesn't look
13 very different, I realize. You see 3 things in red on this slide. The first is that we would add
14 a concept plan. Concept plan will not be going to the board unless an applicant asks for it
15 to. This will be the opportunity for all the different agencies, utilities, our staff to really sit
16 down and figure where the conflicts are up front. In other words, they -- the way it is now,
17 every agency, including us, waits for a plan to come in, and then we start shooting holes
18 in it. This will actually give us a chance to work much more collaboratively with applicants
19 so that we can understand where these issues will arise, so that by the time the plan
20 comes in, going through these steps should not take nearly as long. We actually feel that
21 by combining all these processes into one, that we can probably save about two-thirds of
22 the time it's taking now, if you have you have to through multiple plan reviews. And
23 another thing that it does is that we combine the preliminary forest conservation plan and
24 the final forest conservation plan into only one plan. The advantage of some of this, by the
25 way, is that, you know, every time a plan comes back, a different person may be looking
26 at it, they may be asking for something a little different than the last person did --
27 everything that a developer thought they had already resolved turns out they have to do
28 all over again. This would eliminate all of that. So this is somewhat the streamlined
29 process in front of you. Again, starting with the concept plan, where we're going to identify
30 -- and that list may grow a little bit -- the things that we really need to make sure we have
31 worked out at that time. There will be many opportunities for public information, not only --
32 and participation -- not only in terms of a formal meeting between the applicant and the
33 public, but, of course, we always allow the public to request as many meetings with us to
34 discuss a plan as they feel they need. None of that would change. And then what we're
35 saying here is that at -- when the plan comes in, we would have to determine the findings
36 that we would have to make, we would have to look the type of the plan it would be under
37 our current system, so if it only needed a preliminary plan under our current system, there
38 would be one set of findings that we would have to make. If it in fact needed a preliminary
39 and site plan -- and some of these names may change -- we would have a different set of
40 findings we would have to make. So we would have to lay out all the findings to make sure
41 that we're still covering all our bases, so to speak, and that the public's interest is

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1 protected. And then some of those final details -- one of the advantages of this -- I
2 mentioned it in front of the PHED -- is the developers would be able to go immediately to
3 record plat, and then some of the finer details of the plan -- the lighting, the landscaping,
4 and recreation -- would be worked out later when it -- when they know more about what
5 they're doing, and it would make more sense at that time. So we're actually quite excited
6 about it.

7
8
9
10 **ROLLIN STANLEY:**

11 So one of the outcomes of this process, if it was -- this is like the big public unveiling.
12 We're not there yet. We're just starting the discussion process. But this kind of a process
13 change would result in less revenue, absolutely, and I put that right out there, and that
14 means less revenue through the Special Revenue Fund, which we'll hear about in a
15 minute. We have to deal with the issue of the public thinking it's a perception of less
16 participation, but really what happens is it's creating more public participation up front, to
17 get more certainty up front, before something comes out the end of the pipe. The only
18 solution to our process would be we have to have fewer steps. As you've heard Rose say,
19 sometimes people go through that 4 times, and I think Bethesda Rowe went through 3
20 court hearings on different steps in the process. And we think we can, as Rose said,
21 create less time involved and more involvement, as I said, up front, but it's also part of the
22 processes. It's not just our processes. It's the processes that happen at other County
23 agencies, and that's something that needs to be discussed at some point, as well. I just
24 thought I'd ask Rose to talk briefly about our current timing and dealing with applications.

25
26 **ROSE KRASNOW:**

27 Thank you, Royce. What this slide shows is that we are actually reducing our processing
28 times now. Many of you have said, "Well, that's because you have fewer plans," and there
29 is no question that having fewer plans gives everyone a little more time to focus, but we
30 are actually getting preliminary plans -- some of them, not all -- done in as little as 3 1/2
31 months. The number you see there for site plans -- I really want to emphasize the reason
32 it shows 92 site plans is because that includes all of our director-level amendments. As a
33 result of Clarksburg, we've had many, many, many developers come back to us wanting
34 to amend their plans now that they realize DPS really is looking, and of course we -- after
35 Clarksburg, when we originally had no ability to do an Administrative Amendment, we do
36 now have that authority. That is also a streamlining tool that we have been able to use to
37 great advantage. The things we take as Administrative Amendments are not ones that
38 change one of the fundamental findings of the board, but they do let developers change
39 some of the features of their site without having to go through the very, very long process.
40 So I just wanted you to see that we have made great headway, and I should also mention

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1 that resolutions, which had been a big issue -- we have no backlog of resolutions
2 anymore. My staff is required to have them to legal within 48 hours of the hearing.

3
4 **ROLLIN STANLEY:**

5 I realized I'd landed in Montgomery County not soon after I'd got here and I had to sign a
6 director's-level amendment to change the entry monuments to a subdivision somewhere
7 in north county, where they had to poll all 300 residents before sending it to me, and not
8 one person responded. Outreach. We've been doing a lot, and we have a lot more to do.
9 One of the things we're doing with Master Plans is we're going to be starting -- and we've
10 just done this with Kensington, and this is one of the photographs -- is we're starting photo
11 contests to start our Master Plans to get the public involved. We did this one with the town
12 of Kensington, where they got sponsors, et cetera. Just in the adjudicating process now,
13 but it's a great way to get people involved, including kids at schools, and we've had 2 good
14 experiences with it so far. I talked briefly about the neighborhood planning, where we're
15 going to be going in and inviting all the homeowners associations to have us walk their
16 communities with them and give us submissions, as well, as part of that process to help
17 us identify issues they'd like to deal with. I'd mention, and I showed you before that, our
18 first translation of a Master Plan into another language was the Takoma Plan. We're doing
19 a lot of our outreach in Takoma, but there's a cost to that. The cost of translating the draft
20 Takoma Plan was \$4,200, and it took 25 -- or 3-4 weeks. So there is a cost associated
21 with that, but we think it's the right one. And I think we've committed to doing the final plan
22 for Takoma translated as well, and we're looking to do that also in Wheaton. From a
23 communication standpoint, we're producing a lot of visual materials, which I'll show you in
24 a moment. One is dealing with getting involved. That's the CD, which I think we included
25 in the package we sent you, which we're making available on the Web and to anybody
26 who wants to see it and show them how to go through development applications, get
27 involved in the planning process. We've got a short clip here on level of service -- which I'll
28 show you in a minute -- Growth Policy, and
29 zoning.

30
31 **CLIP NARRATOR:**

32 We'll now show you what typical traffic looks like in the evening rush hour on Rockville
33 Pike from Jones Brush Road to Twinbrook Parkway. In this split-screen video, top of the
34 screen condenses a 17-minute trip down to one minute, while the bottom of the screen
35 charts the travel time using the same graph we introduced earlier. Recall that the green
36 line on the graph represents free-flow speed, which in this example is just under 7
37 minutes. As you can see, traffic is backed up at the first 2 lights. Taking only this part of
38 the trip into consideration, the level of service would most certainly be an F. However,
39 once the car passes Cedar Lane, traffic clears up, and the car is able to reach speeds
40 approaching free flow. The car continues toward White Flint and past the mall with little



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1 traffic, until coming to a red light here at Nicholson Lane. It then once again reaches
2 speeds near free flow. And the entire trip is eventually measured at LOS E.

3
4 ROLLIN STANLEY:

5 So this is part of the effort in the Growth Policy to help people understand one of the
6 recommendations about changing levels of service from D to E. Another example is the
7 Growth Policy presentation we provided that was going to be on the Web.

8
9 MAN IN PRESENTATION:

10 Montgomery County's probably the best place to live. Montgomery County's very culturally
11 diverse. It has amazing restaurants. It has great attractions, tons of festivals all over the
12 place, great farmers markets.

13
14 WOMAN IN PRESENTATION:

15 It's very stable. I like that we have a lot of parkland that's been put aside so it won't be
16 developed.

17
18 MAN IN PRESENTATION:

19 It's rural, but it's city, you know? The people are fantastic. The services are wonderful.

20
21 WOMAN IN PRESENTATION:

22 I just think that overall, Montgomery County offers very good transportation, great schools,
23 great living, and a great place to work.

24
25
26
27 MAN IN PRESENTATION:

28 Anybody who stops through Montgomery County falls in love with it and essentially comes
29 back.

30
31 MAN IN PRESENTATION:

32 God, I love Silver Spring. I mean, it's a whole multitude of shopping here and dining, and
33 the people are interesting. It's one of the most diverse areas I've ever seen.

34
35 WOMAN IN PRESENTATION:

36 Just the fact that there's, you know, a lot of activities, like restaurants.

37
38 WOMAN IN PRESENTATION:

39 Youth ballet. It has an Arts Center.

40
41 WOMAN IN PRESENTATION:

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1 Entertainment on Thursday nights and the movie theater, and everything is just right here.
2 It's really convenient.

3
4 WOMAN IN PRESENTATION:

5 The Metro is close by, so that is a really big plus point.

6
7 WOMAN IN PRESENTATION:

8 [Speaking Spanish]
9

10 MAN IN PRESENTATION:

11 Lots of things going on constantly. There's never a dull moment here in Silver Spring.
12

13 ROLLIN STANLEY:

14 So that's another example of some of the outreach we're trying to get people involved.
15 Now I'd like to turn and ask Alison Davis to help out with the budget discussion.

16
17 ALISON DAVIS:

18 Well...we'll change the tone.
19

20 ROLLIN STANLEY:

21 If I may, I will suggest -- I'm sorry. I didn't notice that Commissioner Marye Wells-Harley
22 has joined us, and I'd just like to point that out.
23

24 ALISON DAVIS:

25 We will be, I assume, back to you in the next few weeks, talking about our 2.25 reduction
26 for this year's Savings Plan. We are also in the process of looking at and developing our
27 FY11 budget. We are very cognizant of the County's situation and the fact that we will be
28 presenting, I think for about the third year in a row, probably one of the most fiscally
29 conservative and adequate plans that we can possibly come forward to, to help in your
30 decisionmaking. We have -- 85-87% of our budget is related to personnel. We have been
31 preparing, and we -- through our staff freezing of positions and only filling mission-critical
32 positions as we have to, coping with the current fiscal situation, the current restrictions. Of
33 note would be the Development Review Fund. As of the end of September, we're heading
34 for a 400 -- if it were to end right -- if this were the end of the fiscal year, we would be
35 approximately \$450,000 below our budgeted fee revenue, so we have some great
36 challenges within this year to face. We are cognizant of next year, and we are trying to still
37 develop a plan. We have really been, I think, employing the maximum efficiencies within
38 our department, and the staff has been taking on 2-3 jobs. We are cross-functional teams
39 effort. We are deploying staff anywhere we can to maximize our staff efficiencies while
40 minimizing our spending. So we will be back to you on the Savings Plan in the next few
41 weeks, and we'll be back to you in spring with our FY11 proposed budget.

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1
2 ROLLIN STANLEY:

3 And you'll see it says there, "pay as it breaks." As you know, we were thinking of funding
4 \$2 million for improvements to the building, but we can't afford the debt service, so as it
5 breaks, we fix it, hopefully. Unprogrammed work. It's important to point out that we get a
6 lot of requests to do things that aren't in our work program, so for example, with the
7 Clarksburg water quality issue, we probably spent, over the department, about 300 hours
8 on that; the Frederick Church, about 88 hours; the VRT proposal, about 45 hours. We're
9 working on BRAC Coordination, which we haven't timed out, and obviously the ongoing
10 things, like the forecast with COG. And that's it. Questions?

11
12 COUNCIL PRESIDENT ANDREWS:

13 Thank you very much for a very stimulating presentation, very comprehensive and very
14 visual, and -- and aural, too, with the music. So thanks for that. I've got a couple of
15 comments. Then there are a number of comments from Councilmembers. I'll turn first,
16 after my comments, to Councilmember Leventhal. One, I would say very encouraging
17 news, the public unveiling about shortening the process by, you estimated, two-thirds, in
18 terms of the length of the process, and what struck me was the commitment to reducing
19 the average time by two-thirds while not reducing the -- the elements of the review, so that
20 you still have a comprehensive review, but it reflects that we need to value everyone's
21 time who comes before the County government in any way, including at Park and
22 Planning. And I think that that's very exciting initiative that you have announced today and
23 look forward to hearing more details about it and seeing it roll out. But I think that we
24 should do everything we can to reduce the amount of time that people need to spend
25 before County government, while not undermining the adequacy of the review, so I'm
26 excited by that. I want to answer one of the questions that was asked in the presentation,
27 which was, should quality of life be measured by how long it takes people to drive
28 somewhere? And my answer would be, yes. It certainly is one important measure
29 because, for the foreseeable future at least, and I think after the foreseeable future as
30 well, most people in Montgomery County will continue to drive as their primary way of
31 getting around, given the development patterns that exist in the County now and which will
32 continue to be the dominant development pattern well into the future. So that's why I
33 believe it is a critical measure of quality of life. It's certainly not the only one, but I think it's
34 a crucial one for many of our residents, so... The question was asked, and it's my -- it's
35 one Councilmember's response. I'll turn to Councilmember Leventhal.

36
37 COUNCILMEMBER LEVENTHAL:

38 Thank you, Mr. President. I really like the video about the Growth Policy, and I wonder if
39 it's available online. I'd like to help you circulate it to my constituents.

40
41 ROLLIN STANLEY:



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1 We just finished it last night, and it'll be -- we're going to do some fine- tuning. I think we'll
2 have it ready by the end of the week and up online.

3
4 COUNCILMEMBER LEVENTHAL:

5 And you'll provide us with the URL address? Can you send us an email?

6
7 ROLLIN STANLEY:

8 We'll send it all to you, and in fact, we'll send you -- I think we can send you the DVD
9 copies, as well.

10
11 COUNCILMEMBER LEVENTHAL:

12 Right, but if there's a URL, then I can forward it over email and on Facebook, et cetera. I
13 think a lot of people would benefit from seeing it. I thought it was very well done.

14
15 ROLLIN STANLEY:

16 Thank you.

17
18 COUNCILMEMBER LEVENTHAL I do want to ask about the Purple Line station number
19 3. In the spring when we met, you were proposing to have the Council received that in
20 May of 2011, and now you're proposing a delay of 2 years. I was told by Planning Board
21 staff that the reason for the 2-year delay was that Planning Board staff was told by Council
22 staff that it's too politically sensitive, and I'm going to make a motion that we return to the
23 original date of May of 2011. I think that those of us who are here who have to suffer the
24 storms and arrows of political sensitivity will have that discussion and make that judgment.
25 I don't -- as one who has been very close to the Purple Line discussion over the last few
26 years, I don't recollect saying that the decision to redevelop the shopping area at Chevy
27 Chase Lake is too politically sensitive. I'm very aware of the dialogue around the Purple
28 Line, and it is certainly possible -- although the Town of Chevy Chase has delayed its
29 decision -- that ultimately the Town of Chevy Chase will participate in a lawsuit against the
30 State of Maryland. It is certainly possible that the Columbia Country Club will also seek to
31 sue the State of Maryland and potentially delay this vitally necessary transit hub.
32 However, I'm a user of that shopping center, and it's not really well serving -- serving the
33 residents there right now as well as it could be. The parking configuration is unfortunate,
34 and several of the core tenants of that shopping center are coming to the end of their
35 lease or are shutting down. I know that the owners of that shopping center have received
36 approval through 2014, and they're anxious that if there's a long delay, that they would be
37 able to maximize the opportunity to serve the residents of that area with shopping and
38 amenities that will be very desirable for the residents of that area. The Council has been
39 contacted by the Bethesda-Chevy Chase Chamber of Commerce and by the County
40 Chamber of Commerce requesting that we return to the original date proposed by the
41 Planning Board, the 2011 date, rather than the delay to 2013. So if the only purpose of a

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1 delay is to kind of sneak something past the residents of Chevy Chase or North Chevy
2 Chase, I think they're well aware that that shopping center is out of date, that it needs to
3 be modernized, and the level and amount of density and traffic impact will all be discussed
4 in a Sector Plan, and for public input. As I say, as a longtime strong advocate for the
5 Purple Line, I don't think ample public discussion of how the shopping and amenities at
6 Chevy Chase Lake might be reconfigured and how a transit station ought to be designed -
7 - I don't think that harms the likelihood of our winning approval of the Purple Line. In fact,
8 an argument could be made to the contrary, that because transit-oriented development is
9 part of the rationale that the Federal Transit Administration is likely to look at, and since
10 we are very much looking forward to transit-oriented development, as Glenn and Rollin
11 mentioned, at Long Branch and Takoma-Langley, and since we're actually moving ahead
12 with a brand-new Silver Spring Transit Center, which is well under construction now, I
13 don't really see what purpose is served in sort of putting off discussion of a Chevy Chase
14 Lake station. There will be a station. It's identified in the state's DEIS. We know where it's
15 going to be, and to wait several years to say, "Well, we don't know what -- we don't even
16 want to think or talk about what it's going to look like because there may be neighborhood
17 concerns" -- there may be neighborhood concerns. As I sat, there will be ample
18 opportunity for public input, and I think many, many neighbors will be pleased at the
19 prospect of modernizing and improving the shopping and amenities that they'll be able to
20 enjoy. So -- so I move at this time that we return to the original date proposed by the
21 Planning Board earlier this year of May 2011, and I'd like to have a name -- maybe we'll
22 come out with a name -- rather than station 3. You know, perhaps the Connecticut Avenue
23 Sector Plan or the Chevy Chase Lake Purple Line station plan or something that people
24 know, in fact, what it is we're talking about. So I make that motion at this time. And the
25 other point I would make, Mr. Knapp and I were discussing, in terms of finding resources
26 to do the study, my motion right now does not address the Clarksburg Stage 4 plan, but
27 obviously based on the passage of the Water Quality Task Force that the Council just
28 approved, we're going to return in the spring and make a judgment in the spring as to the
29 timing of any Planning Board effort on Clarksburg Stage 4. My motion does not address
30 that, but I think in terms of allocating the resources that Rollin's presentation called for on
31 that, that may be something that the Council could wait on, to determine how much
32 resources are necessary, until we get the report of this task force that 8 of us just voted to
33 create. But I move that we move -- that we advance the timeframe for the Purple Line
34 station 3 study.

35
36 COUNCIL PRESIDENT ANDREWS:

37 OK. All right. So it's been moved by Councilmember Leventhal to advance the timeframe
38 from April 2013 to May 2011. Seconded by Councilmember Ervin.

39
40 MARLENE MICHAELSON:

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1 If I could just take a minute just to refresh people's memory on the prior Council
2 determination on this. When this last came before the Council, it was the recommendation
3 of the T&E Committee that it was premature to identify specific Master Plans that would
4 be prepared and when they would be prepared along the Purple Line, and it was a
5 judgment call by the committee at that time that it would better to be somewhat vague until
6 the decisions on the Purple Line were further ahead.

7
8 COUNCILMEMBER LEVENTHAL:

9 I do recall those conversations, and those conversations occurred prior to Governor
10 O'Malley's announcement of a locally preferred alternative. Now that the governor has
11 endorsed the recommendations of his own MDOT, my own sense is that there's no bene -
12 - and that the DIS explicitly states where the stations are going to be located, I don't see
13 any benefit in putting it off further in the hope that people won't notice something. There is
14 going to be a Purple Line, and there are going to be stations, and we need to have some
15 sense of how those stations will be configured.

16
17 MARLENE MICHAELSON:

18 And again, I'm just trying to say what the history is. It was the Council's judgment at that
19 time. To me, this is not really a policy decision. It is a political one that you need to make
20 as to what best puts you in a position to continue to advocate for the Purple Line. The
21 timing --and I'll ask the Planning Department to comment on the timing, but my
22 understanding is the department was responding to the Council's concern generally about
23 compressing the Master Plan schedule and ending up in a situation you have in this fall,
24 where you've gotten so many Master Plans at once. And so the PHED chair, who was at
25 the time we sent to the Council President, said, "Here's a better way to space Master
26 Plans -- not a Master Plan in particular, but they need to be sent so the Council can
27 actually do it. And this is where, for many years, Council had been saying, "3 plans a year.
28 Don't give us 2 at once. Space it out." And I'm suspecting that this just ended up where it
29 was on the schedule based on that premise of needing to space it and some judgment by
30 the Planning Board of the order in which the plans should proceed. So, I don't know if they
31 want to add anything to that.

32
33 ROLLIN STANLEY:

34 I just add that originally, we had proposed to do all the stations as part of a quarter plan,
35 and I appreciate Ms. Michaelson saying how that did not come about, and I just want to
36 clarify that so that -- is see The "Washington Post" is here, and they don't quote me in the
37 paper saying I was trying to sneak something through Chevy Chase Lake. But originally
38 we had proposed to do them all at the same time, but as Marlene has said, it came back
39 as the way it was. Now, I appreciate, Councilman Leventhal, you talking about looking at -
40 - and we would have to look at what that implications are on the rest of the Master Plan

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1 schedule should we go that way, because again, that's another plan we would anticipate
2 there would be a huge amount of public participation.

3
4 ROYCE HANSON:

5 And it will probably mean some rearrangement in the schedule in order to both deliver the
6 number of plans you want to have the staff resources available. To move one up means
7 that, at least in the current configuration of staff, where we're short 30 positions that we've
8 frozen in order to maintain our budget position, we... to shorten one time means
9 lengthening another time, and we just have to look at that, and I don't want to do that on
10 the fly, and I'm sure the director and Mr. Kreger also don't want to try to make that
11 judgment while sitting here.

12
13 ROLLIN STANLEY:

14 I have a coin in my pocket.

15
16 COUNCIL PRESIDENT ANDREWS:

17 All right. Councilmember Elrich is next.

18
19 COUNCILMEMBER ELRICH:

20 I'm sort of agnostic on whether we move this thing forward or not in terms of study,
21 because I think either timeframe is well within when this -- when the actual project is likely
22 -- the transportation project is likely to hit the ground, and so I don't know that it's critical to
23 do one over the other. I will say that, you know, my priority, I would hate to see the
24 Clarksburg Stage 4 stuff bumped for this, and if that became the choice we had to make, I
25 think dealing with the environmental issues in Clarksburg Stage 4 as well as the build-out
26 of Clarksburg Stage 4, whatever it's going to be, is more important than whether we do
27 this plan in 2011 or 2013. I think the impacts are kind of neutral that way. So I guess I
28 want to see what the impact is going to be on the scheduling from Park and Planning. I
29 will say that I'm highly skeptical of how much you can do here anyway. I mean, anybody
30 who's looked at Connecticut Avenue, this is not just about, you know, providing better
31 shopping opportunities for Chevy Chase Lakes community. That's not the development
32 proposal that's out there. It's not about providing just better shopping opportunities for
33 people in Chevy Chase Lakes community. Frankly, this is a major development, and
34 Connecticut Avenue is basically a parking lot, and I'll be looking for the creative ways that
35 Park and Planning explains on the one hand, the presentation you made to the state when
36 I popped in the other day about why you weren't doing density in Kensington and talking
37 about the importance of Connecticut Avenue as a throughput, and the need not to put
38 massive density in Kensington because it would bottle up the throughput of Connecticut
39 Avenue, and then to have any idea what level of density you could do at Chevy Chase
40 Lakes that doesn't, in fact, bottle up the throughput of Connecticut Avenue. That -- and the
41 ridership -- you know, there's very little to suspect that Chevy Chase Lakes will get the



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1 bulk of its -- people coming to work, theoretically, if it's office buildings on the Purple Line.
2 That's not what studies showed. So I -- I will be very interested to see what you do and
3 how you handle Connecticut Avenue, because it can't be important for throughput in one
4 place and then ignore its role in throughput a mile down the road. So I wish you good luck
5 in explaining that.

6
7
8 ROYCE HANSON:

9 We're just as interested as you in figuring out where we come out on this.

10
11 COUNCIL PRESIDENT ANDREWS:

12 Let me -- all right. I'm interested, as well. I'm interested in the proposal, but I am interested
13 in understanding what the alternative -- what the opportunity cost is if we -- if we were to
14 support and adopt the motion, what would be the effect on other Master Plan schedules?
15 So I'm interested in knowing that, and I think it would be preferable to know that before we
16 decided the issue. I hear Councilmember Elrich essentially saying the same thing. Are
17 there any other comments on the motion?

18
19 COUNCILMEMBER LEVENTHAL:

20 Procedurally, could we -- I mean, could we go with this today and amend it when they
21 come back and say "this is the impact" and make a decision then as to whether or not that
22 impact is OK? I don't know whether it has --

23
24 COUNCILMEMBER LEVENTHAL:

25 We review this twice a year as it is.

26
27 COUNCIL PRESIDENT ANDREWS:

28 Yeah, we do review it twice a year, and let's see what other comments there are from
29 Councilmembers. I think there were a couple of others. Next is Council Vice President
30 Berliner, and I'll take -- for the moment, let's stick to the motion. So I'll call people first who
31 have something on the motion. Council Vice President Berliner.

32
33 COUNCIL VICE PRESIDENT BERLINER:

34 Thank you, sir. I've shared with Councilmember Leventhal that he and I don't see eye to
35 eye with respect to this. I've met with Chevy Chase Land Company. I've met with the
36 Bethesda-Chevy Chase Chamber, and I've shared with them I think this is a mistake. I
37 think the order, I think, that the Planning Board has recommended is an appropriate order.
38 I understand and appreciate your advocacy on behalf of the Purple Line. No one doubts
39 your advocacy. I am the first representative from District 1 to also be an advocate for the
40 Purple Line, and this is my district, and I believe it is a mistake to advance this prior to
41 having more assurance that we are actually going to have the funding necessary to move

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1 forward with the Purple Line. So to create what I believe to be a political firestorm over
2 possible development in this area prior to understanding whether or not this is real I think
3 is a mistake and will create a backlash against the project that this Council supports. I see
4 very little upside and only downside. I've that shared directly with the parties, and I ask my
5 colleagues to take that into consideration.

6
7 COUNCIL PRESIDENT ANDREWS:

8 Thank you, Council Vice President Berliner. Councilmember Ervin is next on this issue.
9 Not on this issue? Who -- all right. Councilmember Floreen.

10
11 COUNCILMEMBER FLOREEN:

12 Thank you. Well, these issues are out there. Whether or not we like them or not, whether
13 we're comfortable with them or not, they're out there, and I think it's incumbent upon us to
14 address them. I have a question as to why -- about the schedule, though. I mean, this --
15 what is the rationale for the number of changes here? I know part of it is us, I guess. You
16 know, the PHED Committee is busy. I don't think that's awful. We're thinking about this
17 stuff a lot, in the context of all the related things. I don't think that's too difficult, and I think
18 the Council is well equipped to handle the schedule that we had looked at in March. I
19 know there were some adjustments because of the concern for next year with respect to
20 what this Council could complete because of the need to do the Sectional Map
21 Amendment with the same Council that has approved the Master Plan. Is that what's
22 driving your calendar changes? I mean, this is not -- what has been proposed is not a
23 proposal to move things up from last March. I mean, it's just to stick with what we have
24 already supported.

25
26 ROLLIN STANLEY:

27 I'll ask Glenn to get into some specifics, but on the overall, a couple of things. One, a
28 desire that was expressed to us at -- I guess it was the biannual lunch with Planning
29 Board about 3 Master Plans a year, and two, we're down 30 people. But more to the --

30
31
32
33 COUNCILMEMBER FLOREEN:

34 I want to say, I think we need to do Master Plans perhaps a little differently, especially
35 when they're on smaller, isolated locations. I mean, you're not doing a regional thing. It's
36 basically sort of a big development plan, concept plan sort of thing for these stations. For
37 Glenmont Metro Center, it's really pretty much just there. Then you have some larger ones
38 here. Whatever -- I'm not even sure what you mean by the Route 29 Corridor Mobility and
39 Land Use Plan, unless you're talking about ??????. But this isn't clear to me. It suggests
40 many things to many people. If we had a better sense of the constraints -- of the
41 geographic constraints of the conversation in each of these, we'd have an easier time of

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1 responding. But I don't know why everything -- I'm really frustrated by the amount of time
2 that things take, and even with the important public process element, we are not doing --
3 well, I'd like to think with all the work we're doing on working through the zoning ordinance,
4 looking at your new zones and the like, we are appreciating better methods for resolving
5 these sorts of issues -- community based issues, land use issues, and the like -- and we
6 should be getting ourselves into a place where the rules of the road will be more fully
7 understood, as it were, once we get into these really rather constrained site locations. And
8 so I'm not so sure that I understand why it's a staffing issue, so much.

9
10 ROLLIN STANLEY:

11 Well, first thing, we have shortened dramatically the time it takes to do Master Plans in the
12 last year. Both Kensington and Takoma are being done basically in a year. As I mentioned
13 in the presentation on the neighborhood planning effort, we think we can address some of
14 the issues you've been alluding to in a more compressed timeframe, keeping in line that
15 we also have to have the right amount of public participation for these.

16
17 COUNCILMEMBER FLOREEN:

18 Sure. Sure.

19
20 ROLLIN STANLEY:

21 And when you get to something like a Chevy Chase Lake, which I think Councilmember
22 Berliner was saying, small or big, it's going to take time, for that very reason.

23
24
25 COUNCILMEMBER FLOREEN:

26 Oh, absolutely, but there -- in that particular location, I'm not sure what the issues are in --
27 at the Langley -- well, we're doing Takoma-Langley. At the Long Branch one. Same kinds
28 of issues, I assume. Perhaps a different community engagement level, but the same
29 issues. And at least in the Chevy Chase one, there's a -- I think there's something that's
30 already approved, so those issues have been laid out already, one way or the other.

31
32 ROLLIN STANLEY:

33 And there's a good bike shop there.

34
35 COUNCILMEMBER FLOREEN:

36 There is! There is. I got something there the other day.

37
38 ROLLIN STANLEY:

39 Glenn, can you just add a little about how we came up with the schedule?

40
41 GLENN KREGER:

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1 Yeah. There were 2 driving factors here, and it had nothing to with political sensitivities.
2 The overwhelming one was that we understood you only wanted 3 plans per year,
3 regardless of--

4
5 COUNCILMEMBER FLOREEN:
6 So that's a controlling feature.

7
8 GLENN KREGER:
9 That is a controlling factor. You know, we have created problems for you when we
10 delivered too many, too quickly. We understand that. We're trying not to do that. The other
11 thing is, of course, resources. Partly it's a matter of not having all the people that we're
12 budgeted for. I have 4 vacant positions just in the Community Based Planning division,
13 and there are only so many people who know how to do a Master Plan on our staff, so
14 that I have to do basically let one finish one plan so that I can rotate them on to the next
15 plan.

16
17 COUNCILMEMBER FLOREEN:
18 OK.

19
20 GLENN KREGER:
21 So that factors into it.

22
23 COUNCILMEMBER FLOREEN:
24 Well, if it's -- if it's the one plan, 3 plans per year, looking at 2011, you've got Master Plan
25 of Highways, was not a Master -- you know, that's really just a -- that's not a huge thing.

26
27 ROLLIN STANLEY:
28 We don't count that in the 3.

29
30 COUNCILMEMBER FLOREEN:
31 That's really more of a mapping thing. You've got Long Branch, and then you don't have
32 anything else in 2011, according to what you're recommending.

33
34 GLENN KREGER:
35 We're assuming that Clarksburg Stage 4 is going to happen, at least for the sake of
36 argument, at this point.

37
38 COUNCILMEMBER FLOREEN:
39 Well, it's not on your list, though.

40
41 GLENN KREGER:

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1 That's an active plan in 2011 that we think will be absorbing an awful lot of our attention
2 during that period.

3
4 COUNCILMEMBER FLOREEN:

5 Yeah, but you're not delivering -- then we get ourselves in the same boat again, where
6 you're delaying everything to 2012. I'd like to see it spread out. I mean, if we're going to do
7 3 plans a year, let's do 3 plans a year, and the Council has -- is the one that has the
8 scheduling issues, as well, so I'm not sure how that weighs out. You're just pushing
9 everything off into 2013, under this plan.

10
11 GLENN KREGER:

12 Well, that's part of it.

13
14 ROLLIN STANLEY:

15 No, they're space -- sorry, Glenn. Go ahead.

16
17 GLENN KREGER:

18 That's part of it, but as I said, in order for us to have somebody available to do a thorough
19 Purple Line station, I have to have specific people to do that, and if they're going to be
20 doing that, it would mean they wouldn't be doing Glenmont or White Flint II or whatever.
21 Those are really the options.

22
23 COUNCILMEMBER FLOREEN:

24 Well, if the point is to have 3 plans a year, let's have 3 plans a year. I don't see 3 plans in
25 2011. Perhaps we could get a follow-up response to this.

26
27 MARLENE MICHAELSON:

28 I think what happened in part with this schedule is that you asked them to continue to
29 work very hard on certain plans to get to you early in the next Council or at the end -- so
30 Takoma-Langley, Wheaton. So if you look at the 2010, there are a lot of them that are
31 compressed there, and I think that's probably part of why you see a little bit less in 2011.

32
33 COUNCILMEMBER FLOREEN:

34 Because that's going to spill over.

35
36 MARLENE MICHAELSON:

37 Right. Exactly. And a lot of them are coming at the end --

38
39 COUNCILMEMBER FLOREEN:

40 But Takoma-Langley won't be that difficult.

41 GLENN KREGER:

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1 We hope you're right. We're also not showing Battery Lane as a plan, although you could.
2 Battery Lane has previously been shown as a land use plan. For now, I'm not -- I'm just--
3

4 COUNCILMEMBER FLOREEN:
5 I'm just looking at your list.
6

7 GLENN KREGER:
8 Right. I understand.
9

10 COUNCILMEMBER FLOREEN:
11 I'm not trying to argue with you, but I am frustrated, and I think from the Council's
12 perspective, it's a lot easier for us to see the 3 in the year, as you suggested. Perhaps
13 what we need is a better understanding of what couldn't happen, given the motion on the
14 table.
15

16 ROYCE HANSON:
17 Well --
18

19 COUNCIL PRESIDENT ANDREWS:
20 I think that's a key issue.
21

22 ROYCE HANSON:
23 And the point I was suggesting -- I'm reluctant to ask the staff or the board to give you that
24 answer on the fly.
25

26 COUNCIL PRESIDENT ANDREWS:
27 All right. Councilmember Knapp, you had a comment as well?
28

29 COUNCILMEMBER KNAPP:
30 Just briefly. Mr. Leventhal, in his remarks, was trying to identify potential resources that
31 could be used, and since we did just make a motion on the resolution about the task force
32 for water quality in Clarksburg, that does -- I'm not sure we're supposing or presupposing
33 whether or not we'll actually end up doing the amendment for the Clarksburg plan, but
34 those aren't linked issues, so I just wanted to put that out there. I think the Councilmember
35 has made a motion as related to the Purple Line, and then there is the Clarksburg --
36 whether or not Clarksburg should be shown on the list or not shown on the list. I was
37 going to have a conversation on that later, but I don't necessarily know that those 2 pieces
38 are linked together. I just wanted to clarify that point.
39

40 COUNCIL PRESIDENT ANDREWS:

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1 OK. Thank you, Councilmember Knapp. Councilmember Navarro, do you have a
2 comment on this issue?

3
4 COUNCILMEMBER NAVARRO:

5 Well, once again, I guess, the question for me is what will happen to Glenmont Metro
6 Center and trying to understand exactly this conversation about, you know, this schedule.
7 And I also notice the notion that there aren't 3 in 2011. I hear your response, but
8 everything seems to be pretty much in flux in terms of understanding, really, this particular
9 schedule, so I am supportive of Mr. Leventhal's -- Councilmember Leventhal's motion
10 because I think eventually, you know, if this is in the plan, it's already there. It's been
11 discussed. I don't understand what's the deal with going forward, but I'm having trouble
12 understanding what will it do to some of the other Master Plans in talking about districts.
13 You know, Glenmont is in my district, and it does need to move forward, and so any -- any
14 particular -- I mean, I know we've gone back and forth, but any particular guidance in
15 terms of what will actually occur to some of the others, because it's hard for me to make a
16 decision based on, you know, when will Glenmont then be addressed -- 2013, 2014? I
17 mean...

18
19 GLENN KREGER:

20 I believe we've deferred Glenmont before, and we're trying not to do that again.

21
22 COUNCILMEMBER NAVARRO:

23 So that means it might stay in 2012?

24
25
26 GLENN KREGER:

27 Well, it's possible. It's something we're going to have to think through if you want us to
28 accelerate the third Purple Line station.

29
30 COUNCIL PRESIDENT ANDREWS:

31 Thank you, Councilmember Navarro. Does anyone else wish to speak on the motion? OK.
32 Don't see any. All right. Well, then, we're ready to vote on the motion, which would have
33 the Purple Line Station Master Plan number 3 plan to be delivered by May 2011 rather
34 than the April 2013 date. OK? All right, that's the motion. All those in favor, please raise
35 your hand. That's Councilmember Navarro, Councilmember Trachtenberg,
36 Councilmember Floreen, Councilmember Knapp, Councilmember Ervin, Councilmember
37 Leventhal. Opposed? Councilmember Elrich, myself, and Council Vice President Berliner.
38 So, 6-3. OK? And I think that --

39
40 MARLENE MICHAELSON:

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1 I just want to clarify, they will have to come back to you with a change to show you the
2 implications, and it's something that the Council should actually look at and approve so
3 that you do have a work program that they're following.

4
5 COUNCIL PRESIDENT ANDREWS:

6 OK. Councilmember Knapp.

7
8 ROYCE HANSON:

9 And we will do that as soon as we can.

10
11 COUNCILMEMBER KNAPP:

12 What I want to do, because there has been -- and I appreciate that since there's 9 of us
13 and we have these conversations once every 6 months, there tends to be things that are
14 said that it's not clear, necessarily, where those plug into the overall schedule, and what I
15 wanted to propose is that once we get through with today's discussion, that the Council
16 President, myself, and the Planning Board chair sit down and actually make sure that we
17 have coalesced around what it is we think we actually just decided today so that we don't
18 have a situation where a couple of months from now, we thought we heard this, or we
19 thought we said something and people are connected. I think it's a solvable problem. I just
20 want to make sure we have articulated it so in the next week or so, we get this -- this and
21 whatever else we figure out clarified, and we're all on the same page.

22
23 ROYCE HANSON:

24 That's both a novel and brilliant suggestion.

25
26 COUNCIL PRESIDENT ANDREWS:

27 We'll do that.

28
29 COUNCILMEMBER KNAPP:

30 And I'll hereby retire, because I can't be novel and brilliant ever again.

31
32 COUNCIL PRESIDENT ANDREWS:

33 In that case, we'll do that one. All right. Councilmember Ervin is next.

34
35 COUNCILMEMBER ERVIN:

36 Thank you. I've been sitting here very frustrated and also fascinated by the conversation
37 of the last 40 minutes or so, because it seems to me that we have to pay for what we're
38 asking for, and not very long ago, several months ago, many of the people who are
39 advocating for moving up these Master Plans are the very ones that wanted to cut the
40 budget of the Park and Planning Commission, so it's been a very frustrating conversation
41 about the work that has to be done here, but when you're down 30 employees and we're

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1 expected to do more with way less, and I think come 2010 and 2011, we're going to see
2 more of these Master Plans being backed up again. I just don't see how we're going to
3 make this all work. We got to pay for it somehow. But that's not the only thing that's got
4 me frustrated with the conversation. I have been here for 3 years now, so this is not my
5 first one of these briefings, and I have staff who I'm sure are listening to me make these
6 comments right now, but we -- we were under the assumption, as a Council staff, that
7 there was a certain line that we couldn't cross over when it came to the way related to
8 Park and Planning staff and how we related to the board, and so, you know, we've been
9 very -- and my chief of staff, Sonya Healy, has been very careful to not -- to not allow me
10 to attend Planning Board sessions and to stay out of your way until it was appropriate for
11 us to do so, but as I listen to these conversations about several Master Plans that are --
12 that are in the district that I represent -- There are many of them there -- Kensington,
13 Wheaton, Takoma-Langley, the Route 29 Corridor, conversations about the LSC Zone,
14 ????? -- many, many things are happening between the borders of District 5 and District
15 4. It seems that if I don't do as some of my colleagues have done over these last 3 years
16 and really involve myself in ways that my staff has said I shouldn't be involved, then I'm
17 not going to have the advantage of understanding where these Master Plans and where
18 these discussions are going and how they relate directly to the constituents living in these
19 neighborhoods. So I need a little guidance here. I leaned over and whispered to the chair
20 of the PHED Committee, who's been here -- this is his second term he's about to finish,
21 and he says he's still not clear about where those lines are. So I cannot tell you how
22 frustrating this is for me to sit here once again and to hear the great work that I know you
23 all do -- I'm a big fan of the Commission and of the employees that I know at Park and
24 Planning. I know you spend many, many hours on these plans, and we couldn't do what
25 we do without you, but you got to help me out here. At what point are we crossing a line,
26 and how involved do I need to be? And my final thing is -- has to do with public
27 engagement. All of this is closely tied to how we engage with the public in the way that I
28 think, Rollin, you're trying to do differently. And so if Councilmember offices are not fully
29 ramped up to engage with you in the way that I believe we should be, we're kind of stuck,
30 so I need a little help here.

31
32 MARLENE MICHAELSON:

33 If you don't mind me taking a first stab, and then I'll turn over to the chair. The advice I've
34 always given to Councilmembers is that when the Planning Board is preparing a plan at
35 the stage it is, it should be prepared without any influence from Councilmembers. So I
36 would strongly recommend that you not call the Planning Board chair and tell him you
37 were kind of hoping for a higher density on a certain property or a different approach. And
38 so to the extent that you're --

39
40 COUNCILMEMBER ERVIN:

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1 But you do know that goes on. I'm just trying to say here, as a Councilmember who's -- my
2 office has drawn the line, and we have never crossed over it, but I feel like it's leaving me
3 in a disadvantaged position when other Councilmembers clearly do this as a matter of
4 practice.

5
6 MARLENE MICHAELSON:

7 I give the advice. I don't police you, but I understand your comments, but what I want to
8 differentiate that from is, it's entirely appropriate for Councilmembers to ask to be kept
9 abreast of what's happening at the Planning Board, which may mean having their staff
10 members sit in on worksessions or hearing from the public. In my view, as long as it is not
11 viewed as something that is trying to influence the outcome, because you have a Planning
12 Board which prepares a plan that is supposed to be free from influence, when it gets here,
13 you can change it in any way you want. And I'll certainly ask the chair if he wants to add
14 anything to that in terms of their comfort level with what your role is.

15
16 ROYCE HANSON:

17 We're pretty comfortable with Council staff attending meetings. That has happened from
18 time to time, and I don't think it bothers any of us, and it doesn't bother our staff. We're
19 also happy, at any time during the course of Master Plan process, to brief members of the
20 Council on where we stand on those particular -- on that particular Master Plan. I think you
21 should expect the Board to try to act independently on the development of a Master Plan.
22 It is pure legislation. It is not regulatory and is not subject to ex parte rules. So we talk to
23 anybody and everybody in the development of Master Plans. As a Master Plan develops,
24 we tend to go almost property by property, particularly in these Master -- in the Sector
25 Plan process, in particular. We meet with people who own land, and we meet with people
26 who don't own land or who live in the surrounding communities, and that is an extensive
27 and necessary part of the -- of the planning process. I think as far as commissioners are
28 concerned, and I think this also true of staff, that it's hard for us to be totally innocent of
29 any information about how various political figures in the County or the state feel about
30 particular Master Plan issues, and I think what you should hope is that we would take that
31 into consideration just as we would take any other matter into consideration, and that we'll
32 still give you our best judgment, and if it happens to disagree with you or with other
33 members, we're perfectly happy to say so. And we're also -- we also accept the position
34 that as the elected body, you ultimately make the decisions. But I think we serve you
35 poorly if we don't give you the best advice that we can -- that we can offer. Now, on
36 regulatory matters, it's a different -- it's a different situation, that once a case has been
37 filed, the ex parte rule applies, and so communications with members of the board, in
38 particular, on a regulatory matter, are not permitted.

39
40 ROLLIN STANLEY:

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1 The one thing I would add, Councilmember. First, I wanted to thank you for your kind
2 words to staff. I'd just like to say I'm incredibly proud of my staff and their performance
3 over the past year, despite the staff reductions, in producing more Master Plans than they
4 have in such a period of time. But the one thing I really want help with, I really need your
5 help with, is with the outreach. If you know of meetings in your neighborhood that just
6 somehow don't show up on our radar screen, let us know so we can go and talk about the
7 issues we're talking about, or if there's a Master Plan in the area. We need to get in these
8 communities to find out what they're thinking even if there isn't a Master Plan program.
9 And let us know in advance so if we can bring folks to the table to start that process, I
10 think that'd be a real big help.

11
12 ROYCE HANSON:

13 I'd like to reemphasize and underscore what Rollin has just told you because we have, of
14 course, lists of associations. We try to reach out to them, and we're trying to do other
15 techniques now to reach people, using list serves and blogs and other techniques, but
16 most of you have highly developed connections within your communities, or you wouldn't
17 be here, and you can be very helpful to us in identifying both individuals and groups with
18 which we ought to be meeting and talking.

19
20 COUNCIL PRESIDENT ANDREWS:

21 Thank you very much. I think that was well said. We have a couple more lights on, and
22 then I want to make sure we have some discussion about the Department of Parks,
23 because we usually start with Planning and sometimes we don't leave enough time or
24 Parks--

25
26 ROYCE HANSON:

27 We'll start with Parks in the spring.

28
29 COUNCIL PRESIDENT ANDREWS:

30 Yes. And I very much appreciate that our newest commissioner is going to be a good
31 advocate, I'm sure, for ensuring that parks get the attention they deserve in the process,
32 as a former Director for Parks in Prince George's County for a long time, so...
33 Councilmember Knapp, and then I think Councilmember Elrich.

34
35 COUNCILMEMBER KNAPP:

36 Thank you, Mr. President. I just had a couple of comments on both the chair's opening
37 remarks and on the report itself. I just wanted to commend you on a beautiful picture on
38 the front page. I've had pictures taken at exactly that same fencepost a number of times,
39 and it's a great backdrop.

40
41 ROYCE HANSON:



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1 It's a great post.

2
3 COUNCILMEMBER KNAPP:

4 It is. I just wanted to -- we'll touch on this a little bit more. We don't have much time. On
5 the elementary and middle-school ball field maintenance, I think the issue you've raised is
6 one that we need to consider. I appreciate what you've raised, and so I would like to,
7 between now and the time we actually get back to budget, to actually explore some of
8 those options. I don't know -- there are -- obviously it's fraught with peril, but I think the
9 point you've raised about having to include it in your Spending Affordability is a fair and
10 reasonable one, and we ought to try and explore that a little bit. I had a question as it
11 relates to Special Revenue Fund. I mean, I don't necessarily -- in an ideal world, sure,
12 we'd love to have the fees that were collected actually pay for everything there. I don't
13 think that's necessarily what the expectation always is. It's what the hope is, so I think that
14 it's important to raise that to us. One of the things, though, that struck me is in the -- in the
15 flowchart that you showed, if we've actually reduced that and we've made it a more
16 efficient process, that doesn't necessarily mean that you need fewer people, but while the
17 fees will be reduced, presumably some of the costs should also be reduced because
18 we're actually more efficient in what we're doing. So I'm not sure that that's necessarily a
19 one-to-one correlation, but it would seem as though there ought to be some connectivity
20 between those 2 points, to some degree?

21 ROSE KRASNOW:

22 To a degree, absolutely. When we first started working on this process revision, I said to
23 Mr. Stanley that it will affect both fees coming in and will probably affect staffing because
24 you don't need as many people if you're not reviewing the same number of plans at some
25 point.

26
27 COUNCILMEMBER KNAPP:

28 And that shouldn't be said in any way to scare anybody.

29
30 ROSE KRASNOW:

31 Right.

32
33 COUNCILMEMBER KNAPP:

34 But I mean, I'm just trying to make sure -- yes, I agree with the points you've raised. I just
35 want to make sure that we're looking at the other piece, too -- not necessarily reduced
36 staff, but at least a look at costs there.

37
38 ROSE KRASNOW:

39 I think it is important to remember, and I heard Councilmember Floreen mention the new
40 stormwater management regs -- the problem we're running into is everything gets
41 increasingly complex, and so the amount of review time that goes trying just to -- to mesh

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1 these issues and to be able to grow in the areas we know we need to grow and to work --
2 we are working much more closely with other agencies now to try and tackle these things
3 head-on up front, but -- but as much as we try to streamline, some of these additional regs
4 add on.

5
6 ROLLIN STANLEY:

7 And I would just add, Councilmember, that the bubbles that I showed at the start show
8 that the development will be occurring closer and closer to established neighborhoods, so,
9 you know, fence could take as long as, you know, a subdivision, so it -- they will become
10 more complex in their discussions.

11
12
13 COUNCILMEMBER KNAPP:

14 The other piece is, on the enforcement package, you identified we are working on it. We
15 have a scheduled -- it is scheduled. I know that it is scheduled, and we're working to try
16 and move that through as diligently as we can, given the other issues. The last piece I
17 would raise is, on your work plan, you did show the Clarksburg Master Plan. The Council
18 did just vote on a resolution, and we're trying not to presupposed an outcome. One of the
19 things we're trying to take out, or trying to address with the community, was the issue of
20 uncertainty. If we end our meeting today having passed the resolution and keeping the
21 Master Plan in the schedule without having kind of made a decision on the basis of more
22 information, it kind of just keeps that uncertainty in the mix. And so I don't know, since this
23 is a proposal, if we have to -- if I have to make a motion to remove it, or if we just... I
24 don't... This is -- this is a proposed draft. This isn't what's a current draft, or if we just say --
25 I don't know what the parliamentary approach would be.

26
27 MARLENE MICHAELSON:

28 Given -- given -- right. Given what's just -- what the Council just approved in terms of the
29 Purple Line, I think they need to come back with a revised schedule that you would need
30 to approve so we can say we have an approved work program.

31
32 ROYCE HANSON:

33 I think by the time we're -- your task force is due to report when?

34
35 COUNCILMEMBER KNAPP:

36 Well, the idea is to have a recommendation so that we can have a conversation in the
37 spring.

38
39 ROYCE HANSON:

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1 In the spring. And we will be back to you for the spring semi-annual review, at which time
2 we should know if we're proceeding with the Master Plan. I think our best guess at this
3 time is that there will probably be a need for a Master Plan Amendment.

4
5
6
7 COUNCILMEMBER KNAPP:

8 And I appreciate that that's your best guess, but what we tried to as a resolution was to
9 say, "We don't know what the right answer is," and so rather than to create more
10 uncertainty and have people say, "Well, you just passed a resolution, but you still have
11 this Master Plan scheduled," I think it's important to be consistent with what we all say.
12 And I don't know. We may be there. We may not be there. I just don't want to foreclose
13 whatever options may be in front of us, so I don't want people to think something
14 differently, so that would be my recommendation, Mr. President.

15
16 COUNCIL PRESIDENT ANDREWS:

17 Which is...

18
19 COUNCILMEMBER KNAPP:

20 Which is to not show the Clarksburg plan until the Council actually has had the information
21 to make a decision as to if that's the best way to proceed versus something else.

22
23 COUNCIL PRESIDENT ANDREWS:

24 OK. All right. Any comment -- any other comments on that? Councilmember Elrich.

25
26 COUNCILMEMBER ELRICH:

27 As somebody who supported the resolution, I still think we ought to leave this in here,
28 even if it goes with an asterisk that says "may not be necessary depending on the
29 outcome the Council action today to set up a study committee," because the last thing I
30 want to do is, they're going to come back, reconfigure their schedule, take this out, and
31 then in the spring say, "Now reconfigure your schedule again. Put this back in and take
32 something else out." And I think there's, you know -- there are as many people hoping this
33 thing opens up as there are people hoping it doesn't open up, and I think that we ought to
34 just leave it as it is right now, and -- but asterisk it so you don't -- you're not going to start
35 any work on it now, right?

36
37 ROYCE HANSON:

38 That's correct.

39
40 COUNCILMEMBER ELRICH:

41 If they're not starting any work on it --

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ROYCE HANSON:

No work would start till July.

COUNCILMEMBER ELRICH:

Or even put a thing in there that says, an asterisk that says, "No work will commence until the outcome of the stormwater task force."

ROYCE HANSON:

This is basically a holding position at this point.

COUNCILMEMBER KNAPP:

I appreciate that. My concern is that we passed this saying we don't presuppose an outcome. If we keep it there, it's difficult enough to communicate with a community effectively as it is. Now we've just given them 2 messages. We've said on the one hand, we haven't prejudged, and on the other hand, we've kept it in the Master Plan schedule, which -- I don't disagree from a resource allocation perspective, it could make sense, but when you're actually trying to communicate with a community, it would appear to be mixed messages. And that's my bigger issue, because we've just told them that we haven't made that decision yet, and so many people will look at this and say, well, it would appear that you just did.

COUNCIL PRESIDENT ANDREWS:

My view -- I would support the asterisking of it and keeping it. Is there -- Councilmember Knapp, you were making a motion?

COUNCILMEMBER KNAPP:

Well, that was my question, because we have a work plan before us which doesn't include it. This is a proposal brought forward by the Planning Board, so it -- I don't know what dictates. We already have an approved Master Plan schedule which does not have that showing, and I would say that we just maintain our current Master Plan schedule and not approve what's been proposed.

COUNCIL PRESIDENT ANDREWS:

Well, that's a -- you're proposing a change to what's proposed by them as a -- what's before us is the -- what's before us --

COUNCILMEMBER KNAPP:

That was my parliamentary question. Do we act on the existing Master Plan, or do we have to exist on -- do we have to act on the proposal?



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1 COUNCIL PRESIDENT ANDREWS:

2 We would act on the proposal.

4 COUNCILMEMBER KNAPP:

5 OK. Then I would make a motion to delete Clarksburg from the Master Plan schedule at
6 this time, pending the Council's further discussion on water quality and determining what
7 the best course of action would be.

9 COUNCIL PRESIDENT ANDREWS:

10 OK. Is there a second?

12 COUNCILMEMBER ERVIN:

13 Second.

15 COUNCILMEMBER LEVENTHAL:

16 Second.

18 COUNCIL PRESIDENT ANDREWS:

19 OK. Seconded by Councilmember Ervin and Leventhal. OK. All right. Any other comments
20 on this issue, on the motion? Don't see any. OK. All those in favor of the motion, please
21 raise your hand. That's Councilmember Navarro, Councilmember Trachtenberg, Floreen,
22 Councilmember Knapp, Councilmember Ervin, Councilmember Leventhal. Opposed?
23 Councilmember Elrich, myself, Council Vice President Berliner. So we will not show in the
24 work plan a date on Clarksburg Stage 4. OK. All right. Council Vice President Berliner is
25 next, and then Councilmember Elrich and Trachtenberg.

27 COUNCIL VICE PRESIDENT BERLINER:

28 3 quick issues. First, Westbard. Mr. Chairman, as I think you appreciate, there are many
29 people in District 1 interested in Westbard and were quite taken aback when a map was
30 sent forward that included Westbard as a, quote, urban area. I understand there's been
31 some conversation, perhaps with the PHED Committee, with respect to this, but I thought
32 that while I have you here that you could take this moment to clarify on the record what
33 the situation is with respect to Westbard so that these good people can breathe a little
34 easier.

36 ROYCE HANSON:

37 I think we stipulated to the PHED Committee that it ain't urban.

39 COUNCIL VICE PRESIDENT BERLINER:

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1 It ain't urban. Thank you. They don't think it's urban. I don't think it's urban. It's good that
2 you guys don't think it's urban. So that was a mistake, and they don't need to be
3 concerned with respect to proposed development in their area that would --

4
5 ROYCE HANSON:

6 I don't believe there's the slightest chance on God's green earth that it's going to turn into
7 Manhattan.

8
9 COUNCIL VICE PRESIDENT BERLINER:

10 Not while this District Councilmember is here. Secondly, let's go back to Westbard. More
11 broadly, I haven't heard from anybody on either side of this with respect to your proposal
12 here. We had had conversations in the past that Westbard is one of the oldest Master
13 Plans that have been around. I think it's over 25 years old. Your thoughts with respect to
14 why this is being deferred? We've not had any conversation on it.

15
16
17 ROYCE HANSON:

18 I think it probably more comfortably fits in what the director was talking about as the --
19 more than the mini amendment, or the small amendment process, and would be one of
20 the communities that would be looked at in this process to see if we can deal with the
21 issues of Westbard in a more compact and limited way than a full-blown Master Plan.

22
23 COUNCIL VICE PRESIDENT BERLINER:

24 OK. White Flint II. We're about to have couple of nights, as I understand it, of conversation
25 with respect to White Flint I. White Flint II. People are going to say to themselves, "I'm
26 sorry. I can barely get my hands around what we're contemplating on White Flint I, and
27 now you're already talking about White Flint II." I do appreciate that there are properties
28 outside of White Flint I that have said to themselves, "Oh, goodness, if we do this, we'd
29 certainly like to be able to do something that's consistent with that." I just need to
30 understand your sense of the timing with respect to this, as well as your sense of the
31 priority and how one explains to the community what the cumulative effect of these could
32 be, because we'll be needing to look at cumulative impacts.

33
34 ROLLIN STANLEY:

35 That's correct. The thinking behind that was, the planning for the community is geared up.
36 It's up and running. To dismantle that infrastructure and wait a couple of years to come
37 back and do the next one, there may be a disconnect, so the idea was to look at things
38 comprehensively with the result of what comes out of White Flint I and then bridge that,
39 because as we know, the city of Rockville has been proceeding with their information on
40 the Pike, et cetera, was to try and just keep that continuity going so while everybody is
41 fresh and involved, keep that moving forward. And when you look at the intersection on all



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1 4 bubbles, you know, there's direct relationships. I mean, there's some thoughts about,
2 does the fire station get stuck in the one quadrant, or do you look to locating that to the
3 north side of the street because the land south of it is right near the proposed second
4 entry to the subway stop, et cetera, et cetera, et cetera. All the issues are tied together.

5
6
7
8
9 COUNCIL VICE PRESIDENT BERLINER:

10 I would appreciate it if we could set up an appointment to have more of a conversation
11 with respect to White Flint II, because it -- again, it's hard enough to get one's hands
12 around White Flint I at this juncture, so...

13
14 ROYCE HANSON:

15 Well, there will be a little bit of breathing space in there because it proposes to start in
16 January of 2011.

17
18 COUNCIL VICE PRESIDENT BERLINER:

19 Finally, I want to speak directly to Mr. Stanley with respect to an issue, and I've had a brief
20 conversation with the chairman with respect to this, as well, and it does relate to the
21 languaging of our Growth Policy, the languaging of Smart Growth Initiatives, the
22 languaging of White Flint, and a belief in certain parts of the community that their lifestyle
23 and their neighborhoods are threatened by this County's increasing embrace of smart
24 growth and the new urbanism. And I find that to be very unfortunate and problematic,
25 creating a backlash that I don't believe is productive or necessary but is fed by the belief
26 that a lifestyle of a suburban community is not respected and should not be respected and
27 will not be tolerated in the future. So when I look at smart growth, when I look at the
28 initiatives coming to our community, I perceive that District 1 is among those that
29 perceives itself to be most threatened by the evolution of our policies, and I want you to
30 know, I don't think it's necessary. I think that we have shown in Bethesda that the
31 neighborhoods immediately surrounding Bethesda have been those that have seen their
32 property values increase the most and the quality of their life be enhanced the most, and
33 that absolutely has to be our bottom-line objective here -- that our existing neighborhoods
34 and this vision that we hold for White Flint or otherwise are compatible visions so that their
35 -- they are not being asked to make a sacrifice to welcome the 200,000 new people that
36 are coming to Montgomery County. Nor is it necessary, in my view, that they do so. So I
37 would just ask you to be aware of the anxiety that is engendered by this evolving policy of
38 ours and to make certain that you keep uppermost in your own minds, as you have your
39 conversations with the community, the need to be respectful of lifestyles that have been
40 chosen and that are deeply honored here. And so, I'll stop there. I want you to know that it



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1 has created a great deal of tension, and I feel more effort must be done to address that
2 and to be respectful of it. And if you'd care to comment, Mr. Stanley, I'd be most grateful.

3
4 **ROLLIN STANLEY:**

5 Yeah. In fact, we've been focusing on the Bethesda-Silver Spring example to show, you
6 know, statistics, things like that. They're in the Growth Policy presentation. I actually had
7 them in here, but I took it out for purposes of brevity. And you'll see that when we go to the
8 full Council, that we're showing what's happened in Bethesda in the last 20 years has
9 been good for the County and had a positive impact on the surrounding area -- things like
10 you said with respect to property values, but it goes beyond property values to the number
11 of businesses, the diversity in the businesses, congestion levels, obviously, and things like
12 that. So, yeah, we're trying to expand that as part of the discussion, and we've been
13 folding that into the Growth Policy presentation.

14
15 **ROYCE HANSON:**

16 I think there's a -- there's another element, and we probably have not been as expansive
17 as we should have been in this regard, and that is that the... the vast majority of the
18 County, the overwhelming majority of the communities in the County, will not change.
19 We're not proposing that they change. We're, in fact, not proposing that -- as far as I know
20 -- any traditional suburban community be changed, but that we try to honor and stabilize
21 these communities. We've tried to be very careful, particularly at the edges of the few
22 strategically selected areas where new development seems to be reasonable and should
23 be much more urban in character than -- than now exists.

24
25 **COUNCIL VICE PRESIDENT BERLINER:**

26 Thank both of you for your comments.

27
28 **COUNCIL PRESIDENT ANDREWS:**

29 OK. Thank you, Council Vice President Berliner. I have to say a brief comment, and that
30 is, one of the things I think it's important to underscore is that one of the reasons that
31 existing communities have so much claim on our attention is that not only do most people
32 live there now, of course, but they will continue to -- those existing communities will be
33 where most people in the future will live, as well, and so --

34 **ROYCE HANSON:**

35 That's correct.

36
37 **COUNCIL PRESIDENT ANDREWS:**

38 The future is very much on our mind when we look at the impacts on existing communities
39 of development proposals, and sometimes we think of the future in just -- in terms of the
40 residents that will live in the new development, and we don't think enough about the great
41 majority of future residents that will live in existing developments, which is simply, you

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1 know, a fact given that we are so far along the development path in the County.
2 Councilmember Elrich is next, and then Councilmember Trachtenberg.

3
4 COUNCILMEMBER ELRICH:

5 I wanted to return to a budget question regarding your situation now and your situation for
6 the coming year. You're 30 people down now. What do you anticipate your staffing looking
7 like next year? Is your assumption, for example, about Master Plan timing assuming that
8 positions are filled and restored, or are you taking into account the possibility that you may
9 remain 30 down?

10
11 ROYCE HANSON:

12 I think we're probably going to be in about that range next year.

13
14 ROLLIN STANLEY:

15 But it's more than that. It's also assuming that resources will be shifted to help with the
16 Master Planning, so people are doing some double duties.

17
18 COUNCILMEMBER ELRICH:

19 So you will be able to maintain this schedule with the likely lack of staff that you're going to
20 have in the next year.

21
22 ROLLIN STANLEY:

23 The schedule that's on that screen?

24
25
26 ROYCE HANSON:

27 Yes.

28
29 ROLLIN STANLEY:

30 Yes.

31
32 ROYCE HANSON:

33 Now, I'll give you one caveat.

34
35 COUNCILMEMBER ELRICH:

36 OK.

37
38 ROYCE HANSON:

39 If the economy comes back roaring in the next 6 months -- which we're not anticipating --
40 and the applications double, then staff that are now being used in other roles will be fully

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1 occupied there, and we may be, you know -- if that should happen, it would require more
2 staff to keep everything on schedule.

3
4 COUNCILMEMBER ELRICH:

5 But otherwise, you think you're OK.

6
7 ROYCE HANSON:

8 Yeah. Rose would like to say something.

9
10 ROSE KRASNOW:

11 I just also wanted to add, and I mentioned it a moment ago to Mr. Stanley, but as we
12 move into FY11, the Zoning Code rewrite is going to take incredible amount of staff time. I
13 don't think people understand, if we do a comprehensive rewrite, just what that is going to
14 involve, as well, and even the mapping effort will involve Council time very substantially,
15 as we'll have to bring a whole series of corrected map amendments if we adjust the paper
16 maps up to the GIS level.

17
18
19 COUNCILMEMBER ELRICH:

20 So that could well take the place of having a third plan to review on our part. And then
21 some?

22
23 ROLLIN STANLEY:

24 Right now, we're anticipating that we'll keep to this schedule.

25
26 ROYCE HANSON:

27 I think we'll keep you busy.

28
29 COUNCILMEMBER ELRICH:

30 Yeah, I don't have any doubt about that. OK.

31
32 COUNCIL PRESIDENT ANDREWS:

33 Thank you, Councilmember Elrich. Councilmember Trachtenberg.

34
35 COUNCILMEMBER TRACHTENBERG:

36 Thank you, President Andrews. I actually want to make a brief remark and make a
37 request, and I would reference the conversation that Councilmember Ervin had with the
38 chairman and Marlene about collaboration and interaction. We have before us, clearly, a
39 set of important projects, and we certainly have had a lot of dialogue and will continue to
40 have it around the White Flint proposal, and I certainly aggressively have had my staff
41 attend both community events where the project has been discussed, even before there



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1 was a proposal from Park and Planning, and I know some of my staff have attended some
2 of the Park and Planning worksessions as well. But I have never had any direct
3 conversation with anyone from your department, and as someone who lives in North
4 Bethesda, I think that that would have been critical, and I realize that my conversat -- my
5 comments might be seen as being somewhat critical, but I don't really want to focus on
6 what didn't happen. I just want to make a request that as you continue the important work
7 that you're going to be doing on White Flint II that we not do the same thing. Obviously,
8 because I live in North Bethesda, I've had regular dialogue. In fact, I'm sure when I get
9 home tonight, there will be some voicemails for me on my home number. There typically
10 are. So I would suspect I'm a resource, and I would have liked to have had more
11 engagement. Again, I'll take some responsibility that perhaps I could have been more
12 aggressive at calling you. I know that you're here for PHED Committee meetings routinely,
13 so I'm upstairs, and I will clearly make myself available for more regular dialogue, and I
14 would really simply just respectfully ask that that happen. And I want to underscore my
15 support for your plan and the hard and fine work ethic of your staff, and I recognize that,
16 and I would hope we'd have more opportunity to collaborate around all the plans that are
17 before us this morning.

18
19 ROYCE HANSON:

20 I'll see that that happens.

21
22 COUNCIL PRESIDENT ANDREWS:

23 OK. Thank you, Councilmember Trachtenberg. In order not to short-circuit the Department
24 of Parks, since we are going to be coming back in probably a week or 2 -- soon -- on a
25 revised Master Plan schedule, given the changes, you can give us some thoughts then
26 about what the impacts are of the changes that have been made by the Council. I'm going
27 to have us delay the discussion of the Department of Parks until then so we don't give it
28 short shrift and that we have adequate time to go into the issues that I know want to be --
29 you want to present to the Council, and it wouldn't be fair to do it at 20 to 1:00, I believe,
30 with the schedule we are on right now. So with that, I want thank all of you for the
31 continuing hard work. The staff of Park and Planning, I know, is working very hard in
32 terms of what we're receiving, and we will come back in a week, 2 weeks, 3 weeks -- soon
33 -- to talk about the impacts on the Master Plan schedule and to spend time with the
34 Department of Parks and the issues that are before that department. Thank you all.

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1 COUNCIL PRESIDENT ANDREWS:

2 OK. We're back for our very brief afternoon session, which consists of one public hearing
3 and action immediately following the hearing, before the PHED Committee begins its daily
4 meeting. Good afternoon, ladies and gentlemen. This is a public hearing on a
5 supplemental appropriation to the County Government's FY10 Operating Budget,
6 Department of Housing and Community Affairs, \$400,000 for the Community Legacy
7 Home Ownership Foreclosure Recovery. Action is scheduled immediately following this
8 hearing. Again, this is agenda item 8, and the source of funds is a state grant. In order to
9 expedite the appropriation of these funds, the Chair of the PHED Committee, according to
10 my packet, agreed to forward this item directly to the Council for action. Therefore there is
11 no committee recommendation, and would the PHED Committee Chair like to make a
12 motion?

13
14 COUNCILMEMBER KNAPP:

15 I would move adoption, Mr. President.

16
17 COUNCIL PRESIDENT ANDREWS:

18 OK.

19
20 COUNCILMEMBER NAVARRO:

21 Second.

22
23 COUNCIL PRESIDENT ANDREWS:

24 So it's moved and seconded to adopt a supplemental appropriation for the FY10
25 Operating Budget of the Montgomery County Government Department of Housing and
26 Community Affairs, Community Legacy Home Ownership Foreclosure Recovery Program
27 of \$400,000. Source of funds--state grant. All those in favor, please raise your hand.
28 That's Councilmember Navarro, Councilmember Elrich, myself, Council Vice President
29 Berliner, Councilmember Knapp, and Councilmember Leventhal. That is approved 6-0,
30 and we are adjourned for the afternoon. The PHED Committee will meet upstairs at 2:00,
31 approximately.

32
33 COUNCILMEMBER KNAPP:

34 All are welcome to join us. Feel free. For those of you who didn't have things scheduled
35 for this afternoon, the PHED Committee will begin at 2:00.

36
37 COUNCIL PRESIDENT ANDREWS:

38 2:00 upstairs, seventh floor. Thank you all. Have a good afternoon.